**20:06:13:80.01.  Guaranteed issue time periods.**

(1)  In the case of an individual described in subdivision 20:06:13:80(1), the guaranteed issue period begins on the later of:

(a)  the date the individual receives a notice of termination or cessation of all supplemental health benefits (or, if a notice is not received, notice that a claim has been denied because of such a termination or cessation);

(b)  or the date that the applicable coverage terminates or ceases and ends 63 days thereafter;

(2)  In the case of an individual described in subdivision 20:06:13:80(2), (3), (5), or (6) whose enrollment is terminated involuntarily, the guaranteed issue period begins on the date that the individual receives a notice of termination and ends 63 days after the date the applicable coverage is terminated;

(3)  In the case of an individual described in subdivision 20:06:13:80(4)(a), the guaranteed issue period begins on the earlier of the date that the individual receives a notice of termination, a notice of the issuer's bankruptcy or insolvency, or other such similar notice if any, and the date that the applicable coverage is terminated, and ends on the date that is 63 days after the date the coverage is terminated;

(4)  In the case of an individual described in subdivision 20:06:13:80(2), (4)(b), (4)(c), (5), or (6) who disenrolls voluntarily, the guaranteed issue period begins on the date that is 60 days before the effective date of the disenrollment and ends on the date that is 63 days after the effective date;

(5)  In the case of an individual described in subdivision 20:06:13:80(7), the guaranteed issue period begins on the date the individual receives notice pursuant to Section 1882(v)(2)(B) of the Social Security Act from the Medicare supplement issuer during the 60-day period immediately preceding the initial part D enrollment period and ends on the date that is 63 days after the effective date of the individual's coverage under Medicare part D; and

(6)  In the case of an individual described in § 20:06:13:80 but not described in the preceding provisions of this section, the guaranteed issue period begins on the effective date of disenrollment and ends on the date that is 63 days after the effective date.

**Source:** 28 SDR 157, effective May 19, 2002; 31 SDR 214, effective July 6, 2005.

**General Authority:** SDCL 58-17A-2(2)(9)(16).

**Law Implemented:** SDCL 58-17A-2(2)(9)(16).