**20:06:13:84.  Open enrollment required for Medicare eligible individuals regardless of age.** Any individual, regardless of age, who becomes eligible for Medicare by reason of age or disability, is entitled to open enrollment into any Medicare supplement policy if application is made within six months of enrollment in Part B of Medicare. This rule applies only to individuals who become eligible for Medicare on or after July 1, 1999. Nothing in this rule prohibits a carrier from using rating methodologies on a class basis for those that qualify for Medicare by reason of disability if:

 (1)  The rate is an actuarially justified rate; and

 (2)  The rate does not exceed the rate that the carrier has for an individual who qualifies for Medicare by reason of age and is 75 years of age.

 **Source:** 26 SDR 55, effective October 21, 1999; 32 SDR 53, effective October 10, 2005.

 **General Authority:** SDCL 58-17A-2(2), 58-17A-2(5).

 **Law Implemented:** SDCL 58-17A-2(2), 58-17A-2(5), 58-17A-17.