**20:06:39:02.  Creditable coverage and preexisting waiting periods for newborn and adopted children.** A child who was covered as a dependent within 31 days after the date of birth under the policy of a parent, or within 31 days after the start of the adoption bonding period under the policy of a prospective parent in the case of a child who has been placed for adoption, is not subject to the creditable coverage requirement of 12 months and qualifies as having 12 months of creditable coverage pursuant to SDCL 58-17-85 if any creditable coverage has been in force within the preceding 63 days. Waiting periods for preexisting conditions may not be imposed on children who meet the requirements of this section.

The requirements of this section apply to any health benefit plan as defined in SDCL subdivision 58-17-66(9).

**Source:** 24 SDR 35, effective September 29, 1997; 29 SDR 107, effective February 5, 2003.

**General Authority:** SDCL 58-17-30.2, 58-17-87(2).

**Law Implemented:** SDCL 58-17-30.2, 58-17-84, 58-17-85, 58-17-87.