**20:06:39:03.  Permissible rating factors.** A health benefit plan may use health status and weight in determining the rate charged for an individual when issuing a new policy or certificate. The application of rating factors based on health status or weight is limited to a 30 percent deviation from the index rate. Adjustments in the rating factors based on health status or weight may not be made after coverage is issued.

 **Source:** 24 SDR 35, effective September 29, 1997.

 **General Authority:** SDCL 58-17-75.

 **Law Implemented:** SDCL 58-17-74.

 **Cross-Reference:** Definition of index rate, SDCL 58-17-66.