**20:06:53:38.  Director's determination of request for experimental or investigational treatment reviews.** The director may determine that a request is eligible for external review pursuant to § 20:06:53:36, notwithstanding a health carrier's initial determination that the request is ineligible and require that it be referred for external review. In making a determination under this section, the director's decision shall be made in accordance with the terms of the covered person's health benefit plan and is subject to all applicable provisions of this chapter.

 **Source:** 37 SDR 48, effective September 22, 2010; 37 SDR 241, effective July 1, 2011.

 **General Authority:** SDCL 58-17-87, 58-17H-49, 58-17I-16, 58-18-79.

 **Law Implemented:** SDCL 58-17-87, 58-18-79.