**20:06:53:72.  Notice to enrollee.** A plan or issuer shall provide notice to enrollees, in a culturally and linguistically appropriate manner, if ten percent or more of the population residing in the claimants county are literate only in the same non-English language, as determined based on American Community Survey data published by United States Census Bureau.

Plans and issuers must provide notice in accordance with SDCL 58-17H-32 and 58-17H-48. Insurers may comply with the notice requirements required in SDCL 58-17H-32 and 58-17H-48 by providing notification of the right to request and receive diagnoses and treatment codes and their meanings in all notices of adverse benefit determinations and final adverse benefit determinations.

**Source:** 37 SDR 63, effective September 23, 2010; 37 SDR 111, effective December 7, 2010; 37 SDR 241, effective July 1, 2011; 38 SDR 59, effective October 19, 2011.

**General Authority:** SDCL 58-17-87, 58-18-79.

**Law Implemented:** SDCL 58-17-87, 58-17H-48, 58-18-79.

**Reference:** American Community Survey data published by United States Census Bureau. [www.census.gov](http://www.census.gov).