



2024 South Dakota Legislature

House Bill 1108

Introduced by: **Representative Blare**

1 **An Act to permit an individual to change enrollment in a medicare supplement**
 2 **policy.**

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 **Section 1. That chapter 58-17A be amended with a NEW SECTION:**

5 An individual enrolled in a medicare supplement policy may voluntarily terminate
 6 enrollment and enroll in another medicare supplement plan with benefits that are equal
 7 to or less than the benefits of the individual's existing coverage during the thirty days
 8 following the individual's birthday.

9 A medicare supplement policy has equal or less benefits unless:

- 10 (1) The policy contains one or more significant benefits not included in the individual's
 11 current medicare supplement policy being replaced; or
 12 (2) The policy contains the same significant benefits included in the individual's current
 13 medicare supplement policy being replaced but reduces the cost-sharing
 14 responsibilities of the enrollee for the benefits.

15 **Section 2. That chapter 58-17A be amended with a NEW SECTION:**

16 For a medicare supplement policy an individual is seeking to enroll in under section
 17 1 of this Act, a carrier may not:

- 18 (1) Deny or condition the issuance or effectiveness of a medicare supplement policy,
 19 or discriminate in the pricing of the policy, because of the health status, claims
 20 experience, or medical condition of an individual enrollee or the receipt of health
 21 care by the individual; or
 22 (2) Deny, reduce, or condition coverage to the individual for a medicare supplement
 23 policy because of the health status, claims experience, or medical condition of the
 24 individual or the use of medical care by the individual.

25