

State of South Dakota

SEVENTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 1998

378B0065

HOUSE BILL NO. 1262

Introduced by: Representatives Fischer-Clemens, Broderick, Brooks, Brown (Jarvis), Crisp, Davis, Duenwald, Jorgensen, Kooistra, Moore, Munson (Donald), Pederson (Gordon), Roe, Smidt, Van Gerpen, Weber, and Wick and Senators Everist, Brown (Arnold), Flowers, Hunhoff, Lawler, Munson (David), Olson, and Whiting

1 FOR AN ACT ENTITLED, An Act to require health insurance coverage for mental illness.

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

3 Section 1. That chapter 58-17 be amended by adding thereto a NEW SECTION to read as
4 follows:

5 Every policy of health insurance that is delivered, issued for delivery, or renewed in this state,
6 except for policies that provide coverage for specified disease or other limited-benefit coverage,
7 shall provide, in writing, coverage for the diagnosis and treatment of mental illnesses, as
8 specified by rule by the Division of Insurance pursuant to chapter 1-26, with the same dollar
9 limits, deductibles, coinsurance factors, and restrictions as for other covered illnesses. The mental
10 illness diagnoses covered shall be at least the same as those covered for mental illness under the
11 Medicaid program as of January 1, 1998.

12 Section 2. That chapter 58-18 be amended by adding thereto a NEW SECTION to read as
13 follows:

14 Every group health insurance policy that is delivered, issued for delivery, or renewed in this

1 state, except for policies that provide coverage for specified disease or other limited-benefit
2 coverage, shall provide, in writing, coverage for the diagnosis and treatment of mental illnesses,
3 as specified by rule by the Division of Insurance pursuant to chapter 1-26, with the same dollar
4 limits, deductibles, coinsurance factors, and restrictions as for other covered illnesses. The mental
5 illness diagnoses covered shall be at least the same as those covered for mental illness under the
6 Medicaid program as of January 1, 1998.

7 Section 3. That chapter 58-18B be amended by adding thereto a NEW SECTION to read
8 as follows:

9 Every small employer health benefit plan that is delivered, issued for delivery, or renewed in
10 this state, except for policies that provide coverage for specified disease or other limited-benefit
11 coverage, shall provide, in writing, coverage for the diagnosis and treatment of mental illnesses,
12 as specified by rule by the Division of Insurance pursuant to chapter 1-26, with the same dollar
13 limits, deductibles, coinsurance factors, and restrictions as for other covered illnesses. The mental
14 illness diagnoses covered shall be at least the same as those covered for mental illness under the
15 Medicaid program as of January 1, 1998.

16 Section 4. That chapter 58-38 be amended by adding thereto a NEW SECTION to read as
17 follows:

18 Every service or indemnity-type contract issued by a nonprofit medical and surgical service
19 plan corporation that is delivered, issued for delivery, or renewed in this state, except for policies
20 that provide coverage for specified disease or other limited-benefit coverage, shall provide, in
21 writing, coverage for the diagnosis and treatment of mental illnesses, as specified by rule by the
22 Division of Insurance pursuant to chapter 1-26, with the same dollar limits, deductibles,
23 coinsurance factors, and restrictions as for other covered illnesses. The mental illness diagnoses
24 covered shall be at least the same as those covered for mental illness under the Medicaid program
25 as of January 1, 1998.

1 Section 5. That chapter 58-40 be amended by adding thereto a NEW SECTION to read as
2 follows:

3 Every service or indemnity-type contract issued by a nonprofit hospital service plan
4 corporation that is delivered, issued for delivery, or renewed in this state, except for policies that
5 provide coverage for specified disease or other limited-benefit coverage, shall provide, in writing,
6 coverage for the diagnosis and treatment of mental illnesses, as specified by rule by the Division
7 of Insurance pursuant to chapter 1-26, with the same dollar limits, deductibles, coinsurance
8 factors, and restrictions as for other covered illnesses. The mental illness diagnoses covered shall
9 be at least the same as those covered for mental illness under the Medicaid program as of
10 January 1, 1998.

11 Section 6. That chapter 58-41 be amended by adding thereto a NEW SECTION to read as
12 follows:

13 Every health maintenance contract that is delivered, issued for delivery, or renewed in this
14 state, except for policies that provide coverage for specified disease or other limited-benefit
15 coverage, shall provide, in writing, coverage for the diagnosis and treatment of mental illnesses,
16 as specified by rule by the Division of Insurance pursuant to chapter 1-26, with the same dollar
17 limits, deductibles, coinsurance factors, and restrictions as for other covered illnesses. The mental
18 illness diagnoses covered shall be at least the same as those covered for mental illness under the
19 Medicaid program as of January 1, 1998.