

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

517C0654

HOUSE BILL NO. 1264

Introduced by: Representatives Fischer-Clemens, Cutler, and Haley and Senators Everist,
Halverson, and Hutmacher

1 FOR AN ACT ENTITLED, An Act to clarify the meaning of the term, biologically-based mental
2 illness.

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

4 Section 1. That § 58-17-98 be amended to read as follows:

5 58-17-98. Every policy of health insurance that is delivered, issued for delivery, or renewed
6 in this state, except for policies that provide coverage for specified disease or other limited
7 benefit coverage, shall provide, in writing, coverage for the treatment and diagnosis of
8 biologically- based mental illnesses with the same dollar limits, deductibles, coinsurance factors,
9 and restrictions as for other covered illnesses.

10 ~~As used in this section, biologically-based mental illness means any mental illness which~~
11 ~~current medical research affirms is caused by a neurobiological disorder of the brain and which~~
12 ~~substantially impairs perception, cognitive function, judgment, and emotional stability and which~~
13 ~~limits the life activities of the person with the illness. The term includes, biologically-based~~
14 ~~mental illness, means schizophrenia, ~~schizo-affective disorder,~~ and other psychotic disorders,~~
15 ~~bipolar affective disorder, major depression, and obsessive-compulsive disorder, and other~~
16 ~~anxiety disorders which cause significant impairment of function, and other disorders proven to~~

1 ~~be biologically-based mental illnesses.~~

2 Section 2. That § 58-18-80 be amended to read as follows:

3 58-18-80. Every group health insurance policy that is delivered, issued for delivery, or
4 renewed in this state, except for policies that provide coverage for specified disease or other
5 limited benefit coverage, shall provide, in writing, coverage for the treatment and diagnosis of
6 biologically- based mental illnesses with the same dollar limits, deductibles, coinsurance factors,
7 and restrictions as for other covered illnesses.

8 ~~As used in this section, biologically-based mental illness means any mental illness which~~
9 ~~current medical research affirms is caused by a neurobiological disorder of the brain and which~~
10 ~~substantially impairs perception, cognitive function, judgment, and emotional stability and which~~
11 ~~limits the life activities of the person with the illness. The term includes, biologically-based~~
12 ~~mental illness, means schizophrenia; schizo-affective disorder; and other psychotic disorders,~~
13 ~~bipolar affective disorder; , major depression; , and obsessive-compulsive disorder; ~~and other~~~~
14 ~~anxiety disorders which cause significant impairment of function; and other disorders proven to~~
15 ~~be biologically-based mental illnesses.~~

16 Section 3. That § 58-18B-53 be amended to read as follows:

17 58-18B-53. Every small employer health benefit plan that is delivered, issued for delivery,
18 or renewed in this state, except for policies that provide coverage for specified disease or other
19 limited benefit coverage, shall provide, in writing, coverage for the treatment and diagnosis of
20 biologically-based mental illnesses with the same dollar limits, deductibles, coinsurance factors,
21 and restrictions as for other covered illnesses.

22 ~~As used in this section, biologically-based mental illness means any mental illness which~~
23 ~~current medical research affirms is caused by a neurobiological disorder of the brain and which~~
24 ~~substantially impairs perception, cognitive function, judgment, and emotional stability and which~~
25 ~~limits the life activities of the person with the illness. The term includes, biologically-based~~

1 mental illness, means schizophrenia; ~~schizo-affective disorder;~~ and other psychotic disorders,
2 bipolar affective disorder; major depression; and obsessive-compulsive disorder; ~~and other~~
3 anxiety disorders which cause significant impairment of function; ~~and other disorders proven to~~
4 ~~be biologically-based mental illnesses.~~

5 Section 4. That § 58-38-40 be amended to read as follows:

6 58-38-40. Every service or indemnity-type contract issued by a nonprofit medical and
7 surgical service plan corporation that is delivered, issued for delivery, or renewed in this state,
8 except for policies that provide coverage for specified disease or other limited benefit coverage,
9 shall provide, in writing, coverage for the treatment and diagnosis of biologically-based mental
10 illnesses with the same dollar limits, deductibles, coinsurance factors, and restrictions as for other
11 covered illnesses.

12 ~~As used in this section, biologically-based mental illness means any mental illness which~~
13 ~~current medical research affirms is caused by a neurobiological disorder of the brain and which~~
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17 bipolar affective disorder; major depression; and obsessive-compulsive disorder; ~~and other~~
18 anxiety disorders which cause significant impairment of function; ~~and other disorders proven to~~
19 ~~be biologically-based mental illnesses.~~

20 Section 5. That § 58-40-37 be amended to read as follows:

21 58-40-37. Every service or indemnity-type contract issued by a nonprofit hospital service
22 plan corporation that is delivered, issued for delivery, or renewed in this state, except for policies
23 that provide coverage for specified disease or other limited benefit coverage, shall provide, in
24 writing, coverage for the treatment and diagnosis of biologically-based mental illnesses with the
25 same dollar limits, deductibles, coinsurance factors, and restrictions as for other covered

1 illnesses.

2 ~~— As used in this section, biologically-based mental illness means any mental illness which~~
3 ~~current medical research affirms is caused by a neurobiological disorder of the brain and which~~
4 ~~substantially impairs perception, cognitive function, judgment, and emotional stability and which~~
5 ~~limits the life activities of the person with the illness. The term includes, biologically-based~~
6 ~~mental illness, means schizophrenia; schizo-affective disorder; and other psychotic disorders,~~
7 ~~bipolar affective disorder; and major depression; and obsessive-compulsive disorder; and other~~
8 ~~anxiety disorders which cause significant impairment of function; and other disorders proven to~~
9 ~~be biologically-based mental illnesses.~~

10 Section 6. That § 58-41-115 be amended to read as follows:

11 58-41-115. Every health maintenance contract that is delivered, issued for delivery, or
12 renewed in this state, except for policies that provide coverage for specified disease or other
13 limited benefit coverage, shall provide, in writing, coverage for the treatment and diagnosis of
14 biologically- based mental illnesses with the same dollar limits, deductibles, coinsurance factors,
15 and restrictions as for other covered illnesses.

16 ~~— As used in this section, biologically-based mental illness means any mental illness which~~
17 ~~current medical research affirms is caused by a neurobiological disorder of the brain and which~~
18 ~~substantially impairs perception, cognitive function, judgment, and emotional stability and which~~
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