

# State of South Dakota

SEVENTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2003

814I0734

HOUSE HEALTH AND HUMAN SERVICES  
COMMITTEE ENGROSSED NO. **HB 1236** -  
02/21/2003

**This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.**

Introduced by: Representative Williamson and Senator Dempster

1 FOR AN ACT ENTITLED, An Act to allow for the exclusion of certain health insurance  
2 coverages as a condition of procuring individual health insurance.

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

4 Section 1. That § 58-17-14 be amended to read as follows:

5 58-17-14. There shall be a provision as follows: "Entire contract; changes: This policy,  
6 including the endorsements and the attached papers, if any, constitutes the entire contract of  
7 insurance. No change in this policy is valid until approved by an executive officer of the  
8 insurance company and unless such approval is endorsed or attached to this policy. No insurance  
9 producer has authority to change this policy or to waive any of its provisions." Any rider,  
10 endorsement, or application added to a policy after the date of issue or at reinstatement or  
11 renewal which reduces or eliminates benefits or coverage in the policy requires signed acceptance  
12 by the policyholder. After the date of policy issue, any rider or endorsement which increases  
13 benefits or coverage with an accompanying increase in premium during the policy term must be  
14 agreed to in writing signed by the insured, unless the increased benefits or coverage is required



1 by law. Coverage as required by § 58-17-98 may be reduced or eliminated by a rider to, or an  
2 endorsement on, a new policy if the insurer would reject the application for the policy without  
3 the rider or endorsement based upon the applicant's preexisting condition of the type covered by  
4 § 58-17-98.