

20:06:57:10. Contracts by multiple employer trusts. All contracts issued by a multiple employer trust shall comply with the following:

(1) Each multiple employer trust application for insurance and each policy and certificate issued by a multiple employer trust shall contain in ten-point type on the front page the following notice prominently displayed:

NOTICE

This policy is issued by a multiple employer trust. Multiple employer trusts are not subject to all of the insurance laws and regulations of South Dakota.

(2) A multiple employer trust must offer on a guarantee-issue basis health benefits to all individuals who qualify as members or enrollees of the association;

(3) A multiple employer trust may offer only medical, dental, optical, surgical, hospital, accident and sickness, prescription, or disability benefits;

(4) All contracts or policies issued by a multiple employer trust shall conform to all the provisions of P.L. 104-191, the Health Insurance Portability and Accountability Act of 1996, including guaranteed issue of all products, preexisting condition limitations, renewability, and portability provisions as well as the issuance of prior coverage certificates to enrollees no longer eligible for plan coverage.

Source: 40 SDR 102, effective December 3, 2013.

General Authority: SDCL 58-18-89.

Law Implemented: SDCL ch 58-15, 58-18-88, 58-18-89.