**47:03:05:06.  Dispute resolution.** A person or entity aggrieved by the action of an insurer regarding medical fees must exhaust the dispute resolution procedure of the insurer before filing a petition or otherwise seeking relief from the department. If the aggrieved party has exhausted the dispute resolution procedure of the insurer or the insurer has failed to resolve a dispute within 30 calendar days after the dispute was submitted to the insurer, the party may petition the department for a hearing on the matter in dispute pursuant to SDCL chapter 1-26. The petition for a hearing must be mailed within 30 calendar days after written notice of the final decision of the insurer is mailed to the aggrieved party.

 **Source:** 21 SDR 67, effective October 13, 1994.

 **General Authority:** SDCL 62-7-8.

 **Law Implemented:** SDCL 62-7-8.