

January 23, 2020

Introduction

Ready or not, the SD Session started on January 14, 2020.

The first four day week turned into a three day week because of weather. The legislature gaveled in and out on Friday morning to try to beat a storm.

Bill count to date: 75 House bills and 66 Senate bills.

HOUSE BILLS

HB 1005 An Act to revise certain provisions regarding the use of telehealth technologies.

Sponsor: Representative Otten (Herman) and Senator Soholt at the request of the Leverage Telehealth and Telemedicine Task Force

Summary: The purpose of this bill is to allow telehealth services to be used in emergency commitment proceedings, even if there is no prior patient-provider relationship.

NAIFA Position: Monitor

Status: Passed House Health and Human Services Committee (11-0) on January 21.

HB 1017 An Act to provide for certain insurer corporate governance disclosure requirements.

Sponsor: The Committee on Commerce and Energy at the request of the Department of Labor and Regulation

Summary: This bill is one of two accreditation bills introduced by the Division of Insurance. The bill, which is an NAIC model, sets out corporate governance disclosure requirements for insurers that have complex corporate structure.

NAIFA Position: Monitor

Status: Passed House Commerce and Energy Committee on January 22.

HB 1018 An Act to revise certain provisions regarding life and health insurance insolvencies.

Sponsor: The Committee on Commerce and Energy at the request of the Department of Labor and Regulation

Summary: This DOI bill updates the Life and Health Guaranty Association. Consistent with NAIC model language, the bill assesses both life and health insurance companies for long term care company insolvencies. It deviates from the NAIC model by excluding HMOs from the Association.

NAIFA Position: Monitor

Status: Passed House Commerce and Energy Committee on January 22.

HB 1041 An Act to revise provisions authorizing state employees to opt-out of the state employee health plan.

Sponsor: The Committee on Commerce and Energy at the request of the Bureau of Human Resources

Summary: Currently, the law allows state employees to opt out of the state health plan if the employee is covered by another group health plan. This bill allows opt out if the employee is covered by Medicare.

NAIFA Position: Monitor

Status: Assigned to House Commerce and Energy Committee.

HB 1057 An Act to prohibit certain acts against children and provide a penalty therefor

Introduced by: Representative Deutch

Summary: This bill makes it a misdemeanor for a medical professional to administer drugs or perform surgery to alter a minor's sex. It is called the Vulnerable Child Protection Act.

NAIFA Position: Monitor

Status: Passed House State Affairs Committee (8-5) on January 22.

HB 1063 An Act to revise certain provisions regarding the purchase, distribution, and sale of tobacco products to persons under the age of twenty-one

Sponsor: Representative Perry

Summary: This bill amends the law to require 21 years of age to purchase tobacco.

NAIFA Position: Monitor

Status: Referred to House Health and Human Services.

SENATE BILLS

SB 2 An Act to require the Department of Social Services to fully support a statewide centralized resource information system.

Sponsor: Senator Stalzer and Representative Duba at the request of the Leverage Telehealth and Telemedicine Task Force

Summary: This bill would change "may" to "shall" to require the Department to fully support a statewide centralized resource information system. The bill also deletes the language making it a fifty percent match rate for each county.

NAIFA Position: Monitor

Status: Referred to Senate Health and Human Services Committee.

SB 8 An Act to revise certain provisions regarding insurance holding companies.

Sponsor: The Committee on Commerce and Energy at the request of the Department of Labor and Regulation

Summary: This is the second of the DOI's accreditation bills. This NAIC model allows South Dakota's DOI to participate in the supervisory college that regulates companies that are internationally active.

NAIFA Position: Monitor

Status: Passed Senate Commerce and Energy Committee (6-0 consent) on January 21.

SB 11 An Act to revise certain provisions regarding third party insurance plan administrators.

Sponsor: The Committee on Commerce and Energy at the request of the Department of Labor and Regulation

Summary: This DOI bill eliminates the requirement that TPAs must have 2 years of performance experience before they can be licensed in South Dakota. The TPA must submit audited financial statements to the DOI, and if the company is solvent, it can obtain a license.

NAIFA Position: Monitor

Status: Passed Senate Commerce and Energy Committee (6-0 consent) on January 21.

SB 23 An Act to repeal the high school graduation or equivalent requirement for certain licensed professionals.

Sponsor: The Committee on Commerce and Energy at the request of the Department of Labor and Regulation

Summary: This bill repeals the requirement of a high school graduation for professions such as chiropractors, optometrists, registered nurse, practical nurse, pharmacist, funeral service providers, and professional commission members.

NAIFA Position: Monitor

Status: Scheduled for hearing in Senate Commerce and Energy Committee on January 23.

SB 60 An Act to adopt the Physical Therapist Licensure Compact

Introduced by: Senator Duhamel

Summary: This bill does what the title indicates. It sets forth the criteria for South Dakota to join a Compact to facilitate interstate practice of physical therapy with the goal of improving public access to physical therapy services.

NAIFA Position: Monitor

Status: Assigned to Senate Health and Human Services Committee

Draft 486 An Act to provide for step therapy protocol regarding certain prescription drugs.

Requested by: Senator Langer

Summary: This bill restricts the ability of health plans and utilization review organizations to use a step therapy protocol.

NAIFA Position: Oppose

Status: Not yet introduced.

Respectfully submitted,

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