**20:06:13:02.01.  Requirements for definition of "accident" and similar words in policies.** "Accidental injury" or "accidental means" shall be defined in a Medicare supplement policy by employing results language and may not include words which establish an accidental means test or use words such as "external," "violent," or "visible wounds" or similar words of description or characterization.

The definition may not be more restrictive than the following "Injury or injuries for which benefits are provided" means accidental bodily injury sustained by the insured person which is the direct result of an accident, which is independent of disease or bodily infirmity or any other cause, and which occurs while insurance coverage is in force.

The definition may provide that injuries do not include injuries for which benefits are provided or available under any workers' compensation, employer's liability, or similar law or any motor vehicle no-fault plan, unless prohibited by law.

**Source:** 18 SDR 225, effective July 17, 1992.

**General Authority:** SDCL 58-17A-2.

**Law Implemented:** SDCL 58-17A-2.