**20:06:13:17.10.  Prescription drug benefits under Medicare supplement plans.** The following provisions apply to Medicare supplement plans:

 (1)  A Medicare supplement plan with benefits for outpatient prescription drugs in existence prior to January 1, 2006, shall be renewed for current policyholders who do not enroll in Medicare Part D at the option of the insured subject to §§ 20:06:13:19, 20:06:13:56, 20:06:13:60 and 20:06:13:60.01;

 (2)  A Medicare supplement plan with benefits for outpatient prescription drugs may not be issued after December 31, 2005;

 (3)  After December 31, 2005, a Medicare supplement policy with benefits for outpatient prescription drugs may not be renewed after the policyholder enrolls in Medicare Part D unless:

 (a)  The policy is modified to eliminate outpatient prescription drug coverage for expenses of outpatient prescription drugs incurred after the effective date of the individual's coverage under a Medicare Part D plan; and

 (b)  Premiums are adjusted to reflect the elimination of outpatient prescription drug coverage at the time of Medicare Part D enrollment, accounting for any claims paid, if applicable.

 This section applies to 1990 standardized Medicare supplement benefit plans.

 **Source:** 31 SDR 214, effective July 6, 2005; 35 SDR 183, effective February 2, 2009.

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

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