**20:06:13:81.  Guaranteed issue -- Products to which eligible persons are entitled.** The Medicare supplement policies to which an eligible person is entitled are as follows:

 (1)  A person eligible under subdivisions 20:06:13:80(1), (2), (3), or (4) is entitled to a Plan A, B, C, F, F with high deductible, K, or L Medicare supplement policy offered by an issuer;

 (2)  A person eligible under subdivision 20:06:13:80(5) is entitled to the same Medicare supplement policy in which the individual was most recently enrolled, if available from the same issuer, or, if not available, a policy described in subdivision (1) of this section. After December 31, 2005, if the individual was most recently enrolled in a Medicare supplement policy with an outpatient prescription drug benefit, a Medicare supplement policy described in this subdivision is:

 (a)  The policy available from the same issuer but modified to remove outpatient prescription drug coverage; or

 (b)  At the election of the policyholder, an A, B, C, F, F with high deductible, K, or L policy that is offered by any issuer;

 (3)  A person eligible under subdivision 20:06:13:80(6) is entitled to any Medicare supplement policy offered by an issuer;

 (4)  A person eligible under subdivision 20:06:13:80(7) is entitled to a Plan A, B, C, F, F with high deductible, K, or L that is offered and available for issuance to new enrollees by the same issuer that issued the individual's Medicare supplement policy with outpatient prescription drug coverage.

 For purposes of § 20:06:13:81, in the case of any individual newly eligible for Medicare after December 31, 2019, any reference to a Medicare supplement policy C or F, including F With High Deductible, shall be deemed to be a reference to Medicare supplement policy D or G, including G With High Deductible.

 **Source:** 25 SDR 44, effective September 30, 1998; 31 SDR 214, effective July 6, 2005; 36 SDR 209, effective July 1, 2010; 46 SDR 147, effective July 2, 2020.

 **General Authority:** SDCL 58-17A-2(2)(16).

 **Law Implemented:** SDCL 58-17A-2(2)(16).