**20:06:13:83.  Open enrollment.** If an applicant qualifies under SDCL 58-17A-17 and submits an application during the time period referenced in SDCL 58-17A-17 and, as of the date of application, has had a continuous period of creditable coverage of at least six months, the issuer may not exclude benefits based on a preexisting condition. If the applicant qualifies under SDCL 58-17A-17 and submits an application during the time period referenced in SDCL 58-17A-17 and, as of the date of application, has had a continuous period of creditable coverage that is less than six months, the issuer shall reduce the period of any preexisting condition exclusion by the aggregate of the period of creditable coverage applicable to the applicant as of the enrollment date. The secretary shall specify the manner of the reduction under this section.

 **Source:** 25 SDR 44, effective September 30, 1998.

 **General Authority:** SDCL 58-17A-2(2)(5).

 **Law Implemented:** SDCL 58-17A-2(2)(5), 58-17A-17.