**20:06:40:05.  Special enrollment periods for marriage, birth, and adoption.** A special enrollment period occurs for the individual, the individual's spouse, and the individual's dependents if the following conditions are met:

(1)  A group health benefit plan makes coverage available with respect to a dependent of an individual;

(2)  The individual is an employee; and

(3)  The individual becomes married or a child becomes a new dependent as a result of marriage, birth, adoption, or placement for adoption.

The special enrollment period must be at least 31 days in length and must begin 30 days after the qualifying event. If coverage required pursuant to this section is applied for, the effective date for coverage in the case of a marriage may be no later than the first day of the first calendar month after the date the completed request is received by the plan or, in the case of a dependent, the date of birth or the start of the adoption bonding period.

**Source:** 24 SDR 35, effective September 29, 1997; 28 SDR 157, effective May 19, 2002; 30 SDR 189, effective June 7, 2004; 39 SDR 203, effective June 10, 2013.

**General Authority:** SDCL 58-18-79.

**Law Implemented:** SDCL 58-18-43, 58-18-44, 58-18-45, 58-18-48, 58-18-79.