**20:06:40:05.01.  Special enrollment periods for loss of other coverage.** If an individual was eligible for coverage and declined coverage due to the existence of other coverage in force, the individual, the individual's spouse, and the individual's dependents are eligible for a special enrollment period on loss of the other coverage, in addition to those events listed as exceptions to being a late enrollee under SDCL 58-18-43.

The special enrollment period must be at least 31 days in length. If coverage required pursuant to this section is applied for, the effective date for coverage may be no later than the first day of the first calendar month after the date the completed request is received by the plan.

A plan may require an employee who declines coverage during the initial enrollment period to declare the reason in writing to be eligible for a special enrollment period as described in this section. If a declaration is required, the plan must provide notice of the requirement and disclose the consequences of the employee's failure to provide the statement.

**Source:** 28 SDR 157, effective May 19, 2002.

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

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