



# Division of Insurance



SOUTH DAKOTA  
DEPT. OF **LABOR**  
& **REGULATION**

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## Individual Producer License Type Update

South Dakota Division of Insurance Director Larry Deiter announces resident and non-resident producer license types will now display the description of “Insurance Producer” on active licenses in the National Insurance Producer Registry ([NIPR](#)) producer database, through [Sircon \(Vertafore\)](#), and with the Division.

Resident and non-resident individual producer license types were converted effective Oct. 19 to this single license type to achieve uniformity with Producer Licensing Model Act (PLMA) standards.

Business statutes, rules, questions or fees associated with the previous resident and non-resident producer license types will apply to the new insurance producer license type. Company appointments remained active for the producer through the conversion process and are now associated with the updated insurance producer license.

An email was sent to individual producers on behalf of the Division of Insurance with a complimentary copy of their license reflecting the updated license type. Producers can also obtain a copy of their license through [Sircon \(Vertafore\)](#) at any time. A fee may be assessed to complete this request.

Questions regarding a producer license can be directed to the Division of Insurance at 605.773.3563 or by email to [insurance@state.sd.us](mailto:insurance@state.sd.us).

## Division Accepting Innovation Waiver Applications

The South Dakota Division of Insurance is accepting innovation waiver applications.

The new insurance product and service innovation waiver process, as established by legislation passed during the 2021 Legislative Session, offers a creative and responsive option to test new ideas in South Dakota's insurance marketplace.

Innovators can apply for a limited time regulatory compliance waiver where, if approved, new, cutting-edge insurance options can be introduced in South Dakota.

“South Dakota is one of only a small number of states that have created a program to reduce hurdles for new concepts,” said Director Larry Deiter. “A waiver approved by the Division of Insurance will allow a way to test the waters with a new insurance product or service that may not readily fit the established regulatory framework.”

[View](#) more information on the waiver process and waivers granted by the Division of Insurance.

## NAIC Midwest Zone Meeting Held in Rapid City

As chair of the Midwest Zone (MWZ) Committee, Director Larry Deiter and the South Dakota Division of Insurance hosted the MWZ 2021 Fall meeting in Rapid City Sept. 21–23, 2021.

As part of the National Association of Insurance Commissioners (NAIC) four-zone structure, the MWZ Committee includes 13 states. The MWZ supports the operation of the NAIC, and MWZ officers serve on the Executive Committee.

In addition to South Dakota, meeting attendees included representatives from Illinois, Indiana, Iowa, Kansas, Michigan, Missouri, Nebraska, North Dakota, Ohio, and Oklahoma. Minnesota and Wisconsin were unable to attend.

Committee discussions included a review of current healthcare reform activity and congressional considerations/actions that may impact the insurance industry.

Presentations were made on remote and hybrid work environments, the North Dakota Health Care Cost Study, the impact of COVID-19 and various topics of interest to the group.

Attendees and guests visited the Mount Rushmore Memorial and the evening lighting ceremony conducted by the National Park Service.

The next meeting of the MWZ Committee is planned for December in San Diego as part of the NAIC Fall meeting.

## Registered Apprenticeship Week Recognized

Governor Kristi Noem proclaimed Nov. 15-21, 2021, as [Registered Apprenticeship Week](#) in South Dakota. The week is to promote the importance of apprenticeship training and the essential role it plays in education development and workforce diversification.

The apprenticeship training model combines work-based learning with related classroom instruction based on industry standards.

“Our vision is to provide South Dakota businesses with a proactive strategy to engage individuals in their communities, improve skill sets and meet workforce needs,” said state Labor and Regulation Secretary Marcia Hultman.

An employer participating as an employer sponsor in the Registered Apprenticeship program will benefit from a systematic and customized approach to training, as well as effective knowledge transfer through technical instruction and mentor driven on-the-job learning.

To learn more about how to be an apprentice or business sponsor, or to find student opportunities, visit [StartTodaySD.com](http://StartTodaySD.com).

## ACA Health Insurance Open Enrollment

The Affordable Care Act (ACA) open enrollment period for 2022 coverage runs from Nov. 1, 2021, to Jan. 15, 2022, for consumers with individual policies.

Open enrollment offers South Dakotans the opportunity to review and/or purchase health insurance coverage from options available in the general market as well as the federally facilitated exchange known as the [Marketplace](#).

Consumers are encouraged to use local, licensed health insurance producers when reviewing health insurance needs for 2022.

“Local insurance producers can help identify changes in your needs, as well as explain different plan options to meet those needs,” said state Insurance Director Larry Deiter. “They are your best resource when exploring comprehensive health insurance available in your area.”

The enhanced subsidies established in the American Rescue Plan (ARP) remain in place to help make ACA-compliant plans more affordable. Under the ARP, more people are eligible for subsidies and consumers with existing subsidies may qualify for larger subsidies.

Individuals with current coverage through the [Marketplace](#) should have received notice of the auto re-enrollment option from the insurance carrier. If the individual does not actively choose a plan for 2022, the same or similar plan will be renewed.

Avera Health Plans and Sanford Health Plan are approved by the Division to sell individual comprehensive qualified health plans during the 2022 open enrollment.

ACA-compliant qualified health plans can be viewed at [healthcare.gov](#). Dec. 15 is the last day to enroll for coverage with an effective date of Jan. 1, 2022. The last day to enroll for 2022 coverage is Jan. 15, 2022.

Other types of coverage, such as short-term or limited benefit health insurance policies, are not subject to ACA rules. Unlike qualified health plans, these types of policies can deny eligibility for coverage or exclude services because of pre-existing conditions.

Consumers are encouraged to take steps to ensure they understand what type of coverage they are buying, especially when receiving unsolicited calls and texts or popup ads on their computer offering health insurance coverage. Ask for written information about the policy, including premiums, prior to agreeing to any coverage purchase. Be wary of high pressure tactics to obtain personal information, such as Social Security number, bank account details or health information.

[View](#) additional information on shopping for health insurance. Contact the South Dakota Division of Insurance with questions or concerns at 605.773.3563 or [insurance@state.sd.us](mailto:insurance@state.sd.us).

## SERFF Filing Access

Public access to company filings with final disposition and marked for viewing is provided through [SERFF Filing Access \(SFA\)](#). SERFF, or the System for Electronic Rates and Forms Filing, is a product of the NAIC which provides a platform for insurance company form submittal, document management, and review access. Through SFA, filings are available 24-hours a day, anywhere with internet access. The public access to company filing information for South Dakota is provided at no cost to the user. [Access SFA](#).

## Administrative Rule Changes

The Division of Insurance completes any updates or changes by following the statutorily defined rules review process. Recent administrative rule changes, proposed rule changes or notices of public hearing can be accessed [here](#).

### [Recent Administrative Rule Changes:](#)

[20:06:12:07, 20:06:19:04, 20:06:25:01 \(including 01.01 & 01.02\), 20:06:25:02, 20:06:26:01, 20:06:36:01, 20:06:59:01. and 20:06:13:36 - Effective June 28, 2021](#)

Updates sources referenced in rule and incorporates 2021 Medicare Supplement coverage amounts set by the federal government.

[20:06:31:27 and 20:06:31:30 - Effective Oct. 4, 2021](#)

Updates the Certified Reinsurer rating factor and filing requirement for audited financial statements.

## Sircon for Agencies

[Sircon for Agencies](#) provides a single site for simple license management. With Sircon for Agencies:

- Apply for and renew licenses in all U.S. jurisdictions through 24/7 online access.
- Elect to receive automatic license updates and renewal reminders to prevent license lapse.
- Access regulatory reference guide for licensing requirements, including notifications when regulations change.

## 2021 Marketplace Special Enrollment Period Final Report

A total of 7,644 South Dakotans took action during the 2021 special enrollment period that ran from Feb.15 through Aug. 15, 2021. As part of the American Rescue Plan of 2021 (ARP), an increased amount of premium tax credits were made available to most consumers to help reduce premiums.

[View](#) the 2021 Final Marketplace Special Enrollment Period Report issued by U.S. Department of Health and Human Services.

## 2022 Legislative Session

The division is currently preparing for the 2022 Legislative Session officially slated to begin at noon on Jan. 11, 2022. If you wish to discuss potential legislative changes with the division prior to the legislative session, please contact our office at 605.773.3563 or by email at [insurance@state.sd.us](mailto:insurance@state.sd.us).