



OFFICE OF ATTORNEY GENERAL

1302 East Highway 14, Suite 1
Pierre, South Dakota 57501-8501
Phone (605) 773-3215
Fax (605) 773-4106
TTY (605) 773-6585
<http://atg.sd.gov/>

JASON R. RAVNSBORG
ATTORNEY GENERAL

CHARLES D. McGUIGAN
CHIEF DEPUTY ATTORNEY GENERAL

July 17, 2020

Honorable Steve Barnett
Secretary of State
500 E. Capitol
Pierre, SD 57501

RECEIVED
JUL 17 2020
S.D. SEC. OF STATE

Re: Attorney General's Statement (Medicaid expansion constitutional amendment)

Dear Secretary Barnett,

This Office received a proposed initiated constitutional amendment that the sponsor will seek to place on the November 2022 ballot. Enclosed is a copy of the proposed amendment, in final form, that the sponsor submitted. In accordance with SDCL 12-13-25.1, I hereby file the enclosed Attorney General's Statement for this amendment.

By copy of this letter, I am providing a copy of the Statement to the sponsor of the amendment.

Very truly yours,

Handwritten signature of Jason R. Ravensborg in black ink.

Jason R. Ravensborg
ATTORNEY GENERAL

JRR/lde
Enc.

cc/enc. Rick Weiland

Filed this 17th day of
July 2020
Steve Barnett
SECRETARY OF STATE

RECEIVED
JUL 17 2020
S.D. SEC. OF STATE

CONSTITUTIONAL AMENDMENT
ATTORNEY GENERAL'S STATEMENT

Title: An initiated amendment to the South Dakota Constitution expanding Medicaid eligibility.

Explanation:

Medicaid is a program, funded by the State and the federal government, to provide medical coverage for low-income people who are in certain designated categories. This constitutional amendment expands Medicaid eligibility in South Dakota. It requires the State to provide Medicaid benefits to any person over age 18 and under 65 whose income is at or below 133% of the federal poverty level and who meets other eligibility requirements in federal law. For people who qualify under this amendment, the State may not impose burdens or restrictions that are greater than those imposed on any other group eligible for medical assistance.

The State must obtain federal approval of the Medicaid expansion coverage set forth in this amendment. Additionally, the Legislature must pass laws to implement this amendment.

Filed this 17th day of
July 2020
Steve Barnett
SECRETARY OF STATE

RECEIVED
JUL 17 2020
S.D. SEC. OF STATE

BE IT ENACTED BY THE PEOPLE OF SOUTH DAKOTA:

That Article XXI of the Constitution of the State of South Dakota be amended by adding a NEW SECTION to read:

§ 10 The State of South Dakota shall provide Medicaid benefits to any person over age 18 and under age 65 whose income is 133% of the federal poverty level or less as provided by federal law and who meets other nonfinancial eligibility requirements of the federal Medicaid law. The State of South Dakota may not impose on any such person any greater or additional burdens or restrictions on eligibility, enrollment, or benefits than on any other group eligible for medical assistance.

Within 90 days of voter approval of this section, the State of South Dakota shall submit a state plan amendment and all other necessary documents, and take all additional steps necessary to seek required approvals from the Centers for Medicare and Medicaid Services to include such persons as a coverage group in South Dakota's Medicaid program.

The Legislature shall provide by law any provisions necessary to implement this section.