

# SOUTH DAKOTA BOARD OF REGENTS

## Policy Manual

**SUBJECT:** Student Insurance

**NUMBER:** 3.5.2

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### 1. Preamble

Students attending postsecondary institutions that offer insurance coverage to their students but who do not purchase coverage are ineligible for benefits under South Dakota Codified Law Indigent Coverage provisions. Whether they are United States citizens, permanent residents or otherwise excluded from the requirements of section two below, **choosing not to purchase health insurance may negatively impact students and their financial future. The South Dakota Board of Regents highly recommends that students secure some form of health insurance coverage.**

### 2. Foreign National Students

Foreign National students, except for those entitled to establish a legal domicile in South Dakota, who have enrolled in any Board of Regents university, are required to purchase a university approved health insurance plan. Spouse and dependents are also required to have proof of insurance and must submit this to their university representative by the census date, as outlined in the academic calendar. Exemptions to this student requirement may be granted by the designated university administrator. This can only occur when comparable or superior health insurance is provided for the student by the student's sponsoring agency or government; or the student is covered by an employer policy. In either circumstance, the student is required to document the coverage and the scope of coverage provided under the sponsoring agency of employer plan. Students who transfer to a university in the spring and summer terms may also be exempted by the designated university administrator, provided that their previous institution required the purchase of comparable, non-refundable coverage and that coverage is still in force for the remainder of the school year. Students who do not have a waiver or are not enrolled and who have spouse and dependents not covered may be withdrawn from the university. Those Foreign National students who have not completed a waiver and have not provided proof of coverage by the census date, as outlined in the academic calendar, shall be withdrawn from the university. Withdrawal from the university will also result in termination of enrollment in the Student and Exchange Visitor Information System (SEVIS).

Foreign National students who plan to enroll in the following Fall semester must purchase the Spring/Summer university approved health plan. Students may request a waiver of the Spring/Summer plan requirement if they can demonstrate *proof of return to their home country over the summer*. Any student who receives a waiver and subsequently purchases a university approved health plan maybe subject to a pre-existing condition waiting period as documented in the health insurance policy.

### **3. Student Athletes**

#### **A. Primary Health Insurance**

All student athletes must have a primary health plan. This plan can be approved by the University. Primary insurance plans for foreign national student athletes must meet the same benefit requirements of a university approved health insurance plan. If the foreign national student athlete can provide documentation of primary coverage either through a parent, employer, or country sponsored coverage, that student can request a waiver. Eligible documentation and proof of insurance is required to sustain the waiver.

For a student athlete to be eligible to participate in any intercollegiate athletic related activities they must provide the following documentation:

- 1) Copy of primary insurance card;
- 2) Insurance plan document that includes coverage effective dates, insurance company information, limits and exclusions of insurance plan, deductible and co-insurance information;
- 3) Healthcare provider network information to ensure full coverage with South Dakota providers;
- 4) A signed form acknowledging the insurance requirements and waiving the institution of covering any responsibility for medical costs incurred due to injuries sustained while participating in intercollegiate athletics.

#### **B. Secondary Athletic Insurance**

South Dakota Board of Regents universities can elect to provide a secondary athletic insurance policy for student athletes. Coverage under the secondary athletic insurance plan should be at levels consistent with national athletic association and conference requirements.

### **4. J-1 and J-2 Scholars/Students**

The Department of State (<http://j1visa.state.gov/sponsors/how-to-administer-a-program/>) federally mandates all J-1 and J-2 status holders to carry adequate health insurance coverage. The J-1 scholars must purchase insurance for themselves and must purchase a university approved health insurance plan. J-2 dependents must have proof of insurance. If J-1 scholars or their dependents fail to maintain the mandatory health insurance coverage, they will be in violation of federal immigration regulations and will be subject to termination as a participant; and must leave the US immediately.

Due to this requirement, it is the policy of the Board of Regents that all J-1 students and scholars will be required to purchase a university approved health plan or provide documentation that they are covered by an employer plan and complete such waiver form to request an exemption.

**5. Students, Faculty and Staff Participating in University Affiliated International Activities**

Effective on January 1, 2010, students participating in a university affiliated international activity must purchase the Board of Regents endorsed study abroad insurance plan. Effective on January 1, 2013, faculty and staff participating in a university affiliated international activity are required to enroll at the expense of the university in the Board of Regents endorsed study abroad insurance plan. The affiliated university may waive this requirement upon proof of comparable nonrefundable comprehensive international insurance coverage which is through a sponsored program at that university. Each university will retain management of such waivers and ensure all students have the required insurance.

**SOURCE: BOR, September 1992, August 2009, August 2010, August 2012, August 2014, June 2015; October 2023 (Clerical).**