

Copic 2026 Legislative Recap:

What Passed, What Changed, What's Next

Top Takeaways from the 2026 Session

A quick look at the biggest changes for your practice. Read on for the full bill-by-bill breakdown.

- **EMS staffing options expanded.** Registered nurses and licensed practical nurses may now serve on ambulance crews if they demonstrate competence in emergency care skills, equipment, and medications and work under appropriate medical or program director oversight.
- **The PA and respiratory care compacts were adopted.** These compacts create pathways for qualified clinicians to practice across participating states, but clinicians should confirm licensure requirements and notify their medical professional liability carrier before adding new states of practice.
- **Abortion-related restrictions were clarified and strengthened.** New laws amend the definition of abortion and reinforce criminal and civil penalties for unlawful abortion-related services, making it important for clinicians to understand the exceptions tied to medical necessity and patient safety.
- **Medical liability considerations remain important across the new laws.** The EMS statute includes liability protections tied to competence, training, and conduct, while compact practice and abortion-related care may raise coverage, licensure, and exclusions-related questions.
- **Looking ahead to 2027:** Expect continued attention on rural access, workforce flexibility, and interstate practice as South Dakota responds to care delivery challenges and federal rural health funding opportunities.



Have questions?

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About This Report

Copic developed this **2026 Legislative Recap Report** to help you understand the healthcare-related changes that came out of the 2026 legislative session and what actions, if any, you and your practice should consider.

It's part of our dedicated, year-round legislative advocacy efforts, focused on protecting access to quality care, preserving the physician-patient relationship, and maintaining your ability to review, deliver and improve care.

This year, we tracked 643 bills across our key markets and worked directly with legislators and partners to shape healthcare policy. Across our markets, the 2026 legislative session taught us that **healthcare policy is inseparable from state budget issues**. Even bills that aren't explicitly about healthcare delivery are shaped by fiscal pressure, a dynamic likely to continue into 2027.

The information provided herein does not, and is not intended to constitute legal, medical, or other professional advice; instead, this information is for general informational purposes only. The specifics of each state's laws and the specifics of each circumstance may impact its accuracy and applicability, therefore, the information should not be relied upon for medical, legal, or financial decisions and you should consult an appropriate professional for specific advice that pertains to your situation.

What Did We Learn from the 2026 South Dakota Legislative Session?

We tracked 27 bills in South Dakota this year. Following the federal government's launch of the Rural Health Transformation Program, the focus of healthcare-related legislation remained on increasing access. Passed legislation expanded resources for emergency medical services and enacted the respiratory care and physician assistant (PA) compacts.



The Full Breakdown

Explore details of key bills in this section, including who's impacted, what changed, and what to consider.

AREA: EXPANDED EMS ACCESS

Bill Title: Establish Requirements and Liability Protection for Registered Nurses and Licensed Practical Nurses Serving on Ambulance Crews

Bill number: [HB 1023](#)

Who this impacts: Registered nurses, licensed practical nurses, EMS providers, medical directors, and program directors.



Summary

This bill allows a registered nurse or a licensed practical nurse to be employed by or serve as a volunteer for an ambulance service, provided that the nurse demonstrates competence in the skills, equipment, and medications used in the provision of emergency care, as determined and approved by the medical or program director. Care provided must be within the scope of the nurse's license and under the direction and supervision of the medical or program director.



Considerations

This bill went into effect on July 1, 2026

For registered nurses and licensed practical nurses

- **If you would like to volunteer for your local EMS, be sure to provide services that are within the scope of your license.** This law states that you are not liable for any civil actions for care provided within your competence and skill set, but the skill set must include competence in the skills, equipment, and medications used in the provision of emergency care.



Medical liability coverage considerations

A registered nurse or licensed practical nurse is not liable for civil damages for care provided on an ambulance run, unless the act is inconsistent with the nurse's training, or was the result of gross negligence or willful misconduct.

AREA: COMPACTS

Bill Title: Adopt the Physician Assistant Licensure Compact**Bill number:** [HB 1146](#)**Who this impacts:** Physician assistants and legal/compliance.**Summary**

This bill establishes the Physician Assistant (PA) Licensure Compact in the state.

**Considerations**

This bill went into effect on July 1, 2026

For physician assistants

- **Be aware of the requirements to practice under the compact.** A PA must hold a valid home-state license, maintain current National Commission on Certification of Physician Assistants (NCCPA) certification, graduate from an accredited program, and have no disqualifying criminal record. For more information, visit www.pacompact.org

**Medical liability coverage considerations**

While compacts are a tool to help increase access, the PA compact includes an ambiguity in its language. It is important to be aware that it is not clear if having a "privilege" to practice as a PA in the state means that the state requirements for licensure also apply. This law states that regulatory boards retain full power to revoke or impose adverse actions against a compact privilege utilized within the state. Always verify that your medical professional liability carrier is aware of any new state licenses and/or states of practice in advance.

AREA: COMPACTS

Bill Title: Respiratory Care Compact**Bill number:** [HB 1148](#)**Who this impacts:** Respiratory therapists and legal/compliance.**Summary**

This new law establishes the respiratory care interstate compact aimed at enhancing the practice of respiratory therapy across member states.

**Considerations**

This bill went into effect on July 1, 2026

For respiratory clinicians

- **Understand the licensure requirements to practice.** The compact requires an active home-state license, a valid National Board for Respiratory Care (NBRC) credential, and a clean disciplinary history that is free of recent adverse actions. For more information, visit respiratorycarecompact.org

**Medical liability coverage considerations**

The Respiratory Care Interstate Compact allows qualified respiratory therapists to practice across participating state lines using a "compact privilege" rather than requiring them to obtain a separate license for each individual state. Always verify that your medical professional liability carrier is aware of any new state licenses and/or states of practice in advance.

AREA: ABORTION

Bill Title: Amend the Definition of Abortion**Bill number:** [HB 1257](#)**Who this impacts:** Obstetric clinicians and legal/compliance**Summary**

This bill clarifies the legal definition of abortion, stating that the intentional termination of a human life in the uterus constitutes an abortion, with specific exceptions such as medical treatment resulting in unintentional death, miscarriage, ectopic pregnancy treatment, removal of a deceased fetus, or procedures necessary to preserve the life or health of the pregnant individual.

**Considerations**

This bill went into effect on July 1, 2026

For clinicians

- **Providing abortion procedures within the state is considered a criminal act in the state of South Dakota.** For patient safety purposes, be aware of the exceptions of providing medical treatment that allow for abortion. This includes miscarriage, ectopic pregnancy treatment, removal of a deceased fetus, or procedures necessary to preserve the life or health of the pregnant individual.

**Medical liability coverage considerations**

The amendments specify that administering, prescribing, or employing means to procure an abortion with intent to do so, unless justified by medical necessity to save the pregnant person's life, is considered a Class 6 felony. This change could increase legal risks and penalties for healthcare clinicians involved in abortion services. Most medical professional liability policies include exclusions for acts deemed to be unlawful.

AREA: ABORTION

Bill Title: Prohibit the Dispensing, Distribution, Sale, or Advertisement of Certain Articles or Things for Purposes of an Unlawful Abortion and Provide a Criminal and Civil Penalty**Bill number:** [HB 1274](#)**Who this impacts:** Obstetric clinicians and legal/compliance.**Summary**

This new law states that any person who administers to any person or who prescribes or procures for any person any medicine, drug, or substance or uses or employs any instrument or other means with intent thereby to procure an abortion, unless there is appropriate and reasonable medical judgment that performance of an abortion is necessary to preserve the life of the pregnant female, is guilty of a Class 6 felony.

**Considerations**

This bill went into effect on July 1, 2026

For clinicians

- **Like HB 1257, providing abortion-inducing medication within the state is considered a criminal act in the state of South Dakota.** For patient safety purposes, be aware that abortion-inducing medications are only allowed when necessary to preserve the life of the pregnant individual.

**Medical liability coverage considerations**

This new law states that the state attorney general may recover a civil penalty against a person for violating this act. The amount of the civil penalty may not exceed ten thousand dollars for each violation. The attorney general may recover attorney fees, costs, and any other award the court determines is appropriate. Most medical professional liability policies include exclusions for acts deemed to be unlawful.