

Fifty-sixth  
Legislative Assembly  
of North Dakota

## ENGROSSED HOUSE BILL NO. 1039

Introduced by

Legislative Council

(Insurance and Health Care Committee)

1 A BILL for an Act to create and enact a new section to chapter 26.1-36 of the North Dakota  
2 Century Code, relating to insurance coverage of ambulance services for prehospital emergency  
3 medical services.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 26.1-36 of the North Dakota Century Code is  
6 created and enacted as follows:

7 **Health insurance policy and health service contract - Prehospital emergency**  
8 **medical services.**

- 9 1. In this section, unless the context or subject matter otherwise requires,  
10 "emergency medical condition" means a medical condition that manifests itself by  
11 symptoms of sufficient severity which may include severe pain and that a prudent  
12 layperson who possesses an average knowledge of health and medicine could  
13 reasonably expect the absence of medical attention to result in placing the  
14 person's health in jeopardy, serious impairment of a bodily function, or serious  
15 dysfunction of any body part. An insurance company, nonprofit health service  
16 corporation, or health maintenance organization may not deliver, issue, execute, or  
17 renew any health insurance policy, health service contract, or evidence of  
18 coverage that provides prehospital emergency medical services benefits on an  
19 individual, group, blanket, franchise, or association basis unless the policy,  
20 contract, or evidence of coverage provides prehospital emergency medical  
21 services benefits in the case of an emergency medical condition.
- 22 2. The coverage required under this section does not require coverage in excess of  
23 policy aggregate limits.

- 1           3.   This section does not prevent an insurance company, nonprofit health service
- 2               corporation, or health maintenance organization from imposing deductibles,
- 3               coinsurance, or other cost sharing in relation to benefits for prehospital emergency
- 4               medical services.