

PROPOSED AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1441

Page 1, line 2, remove the first "and"

Page 1, line 3, replace "section 50-29-03" with "sections 50-29-01, 50-29-02, and subdivision a of subsection 6 of section 50-29-04"

Page 1, line 4, after "program" insert "; to repeal section 50-29-03 of the North Dakota Century Code, relating to administration of the children's health insurance program by county agencies; to provide for a legislative council study; to require maximizations of federal reimbursement; to require grant applications; to provide an appropriation; and to provide an effective date"

Page 1, line 9, remove "and pregnant women"

Page 1, line 11, replace "50-29-03" with "50-29-01"

Page 1, replace lines 13 through 17 with:

"50-29-01. Definitions. As used in this chapter:

1. "Children's health insurance program" means a program to provide health assistance to low-income children funded through title XXI of the federal Social Security Act [42 U.S.C. 1397aa et seq.].
2. ~~"County agency" means the county social service board.~~
3. "Department" means the department of human services.
4. ~~3.~~ "Plan" means the children's health insurance program state plan.
5. ~~4.~~ "Poverty line" means the official income poverty line as defined by the United States office of management and budget and revised annually in accordance with 42 U.S.C. 9902(2), applicable to a family of the size involved.

SECTION 3. AMENDMENT. Section 50-29-02 of the North Dakota Century Code is amended and reenacted as follows:

50-29-02. Duties of the department. The department shall:

1. Prepare, submit, and implement the plan that includes eligibility determinations for self-employed applicants based on the average of the previous three years of adjusted gross income, which means the adjusted gross income as computed for an individual for federal income tax purposes under the Internal Revenue Code;
2. ~~Supervise the administration of~~ Administer the children's health insurance program throughout this state;
3. Take action, give directions, and adopt rules as may be necessary or desirable to carry out ~~the provisions of~~ this chapter;

4. After federal approval of the plan, apply for a federal waiver allowing plan coverage for a family through an employer-based insurance policy if an employer-based family insurance policy is more cost-effective than the traditional plan coverage for the children;
5. Report annually to the legislative council and describe enrollment statistics and costs associated with the plan; and
6. ~~Reimburse counties for expenses incurred in the administration of the children's health insurance program at rates based upon all counties' total administrative costs; and~~
7. Administer all funds appropriated or made available to the department for the purpose of carrying out ~~the provisions of this chapter.~~

SECTION 4. AMENDMENT. Subdivision a of subsection 6 of section 50-29-04 of the North Dakota Century Code is amended and reenacted as follows:

- a. ~~An~~ A gross income eligibility limit of one hundred forty eighty-five percent of the poverty line, except as otherwise provided under section 50-29-02 for self-employed individuals;

SECTION 5. REPEAL. Section 50-29-03 of the North Dakota Century Code is repealed.

SECTION 6. LEGISLATIVE COUNCIL STUDY. During the 2001-02 interim, the legislative council shall consider studying the feasibility and desirability of standardizing the definition of "income" for all programs administered by the department of human services, whether the state or the counties should administer the children's health insurance program, the costs and procedures to provide equal payment under the medical assistance and children's health insurance programs, and the effects of eliminating the asset eligibility requirement for the medical assistance program. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-eighth legislative assembly.

SECTION 7. FEDERAL REIMBURSEMENT. The department of human services shall seek an amendment to its state plan to maximize federal reimbursement through the program to provide health assistance to low-income children funded through title XXI of the federal Social Security Act, for the removal of the asset test for the medical assistance program.

SECTION 8. GRANTS - APPROPRIATION. The department of human services shall study the feasibility and desirability of standardizing the definition of "income" for all programs administered by the department, whether the state or the counties should administer the children's health insurance program, the costs and procedures to provide equal payment under the medical assistance and children's health insurance programs, and the effects of eliminating the asset eligibility requirement for the medical assistance program. Before April 1, 2002, the department shall report the results of these studies to the legislative council. The department shall seek grants to fund these studies from the academy for health research and health policy state coverage initiative and from any other entity that may award such grants. All grant moneys awarded to the department of human services under this section are appropriated to the department of human services for the purpose of defraying the costs of the studies required under this section, for the biennium beginning July 1, 2001, and ending June 30, 2003.

SECTION 9. EFFECTIVE DATE. Sections 1 and 4 of this Act become effective on January 1, 2002."

Renumber accordingly