

**SECOND ENGROSSMENT  
with Conference Committee Amendments****REENGROSSED HOUSE BILL NO. 1441**

Introduced by

Representatives Niemeier, Boucher, Cleary, Kerzman

Senator Bercier

1 A BILL for an Act to create and enact a new subsection to section 50-24.1-02.6 and a new  
2 section to chapter 50-29 of the North Dakota Century Code, relating to medical assistance  
3 benefits and the children's health insurance program; to provide for a legislative council study;  
4 to provide for a continuing appropriation; to require maximizations of federal reimbursement; to  
5 provide for an effective date; and to provide for an expiration date.

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

7 **SECTION 1.** A new subsection to section 50-24.1-02.6 of the North Dakota Century  
8 Code is created and enacted as follows:

9 The department of human services shall provide medical assistance benefits to  
10 children and families coverage groups and pregnant women without consideration  
11 of assets.

12 **SECTION 2.** A new section to chapter 50-29 of the North Dakota Century Code is  
13 created and enacted as follows:

14 **Grants - Gifts - Donations - Continuing appropriation.** The department may accept  
15 any gift, grant, or donation, whether conditional or unconditional, for the purpose of providing  
16 funds for the children's health insurance program. The department may contract with public or  
17 private entities and may expend any moneys available to the department to obtain matching  
18 funds for the purposes of this chapter. The department shall seek grants from the academy for  
19 health research and health policy state coverage initiative and from any other entity that may  
20 award such grants. All moneys received as a gift, grant, or donation under this section are  
21 appropriated as a standing and continuing appropriation to the department for the purpose of  
22 providing funds for the children's health insurance program.

23 **SECTION 3. LEGISLATIVE COUNCIL STUDY.** During the 2001-02 interim, the  
24 legislative council shall consider studying the coordination of the medical assistance and the

1 children's health insurance programs, including the development of a single application form for  
2 both programs, whether the children's health insurance program should be administered by the  
3 state or the counties, the effects of eliminating the asset eligibility requirement for the medical  
4 assistance program, the standardization of the definition of "income" for all programs  
5 administered by the department of human services, and the feasibility and desirability of  
6 seeking a federal waiver to allow the children's health insurance program plan to provide  
7 coverage for a family through an employer-based insurance policy if an employer-based  
8 insurance policy is more cost-effective than the traditional plan coverage for the children. The  
9 legislative council shall report its findings and recommendations, together with any legislation  
10 required to implement the recommendations, to the fifty-eighth legislative assembly.

11 **SECTION 4. FEDERAL REIMBURSEMENT.** The department of human services shall  
12 seek an amendment to its state plan to maximize federal reimbursement through the program  
13 to provide health assistance to low-income children funded through title XXI of the federal  
14 Social Security Act, for the removal of the asset test for the medical assistance program.

15 **SECTION 5. EFFECTIVE DATE - EXPIRATION DATE.** Section 1 of this Act becomes  
16 effective upon certification by the department of human services to the governor and the  
17 legislative council that the state plan amendments to the children's health insurance program  
18 have received federal approval. In no case, however, may section 1 of this Act become  
19 effective before January 1, 2002. If section 1 of this Act becomes effective, the section is  
20 effective through June 30, 2003, and after that date is ineffective.