

Fifty-eighth  
Legislative Assembly  
of North Dakota

**ENGROSSED SENATE BILL NO. 2364**

Introduced by

Senators Erbele, Dever, Mathern

Representatives S. Kelsh, Koppelman, Meier

1 A BILL for an Act to create and enact a new subsection to section 50-29-02 and three new  
2 subsections to section 50-29-04 of the North Dakota Century Code, relating to duties of the  
3 department of human services and coverage under the children's health insurance program;  
4 and to amend and reenact section 50-29-01 of the North Dakota Century Code, relating to  
5 definitions under the children's health insurance program.

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

7 **SECTION 1. AMENDMENT.** Section 50-29-01 of the North Dakota Century Code is  
8 amended and reenacted as follows:

9 **50-29-01. Definitions.** As used in this chapter:

- 10 1. "Children" means individuals under the age of nineteen, including unborn children.  
11 2. "Children's health insurance program" means a program to provide health  
12 assistance to low-income children funded through title XXI of the federal Social  
13 Security Act [42 U.S.C. 1397aa et seq.].  
14 ~~2.~~ 3. "County agency" means the county social service board.  
15 ~~3.~~ 4. "Department" means the department of human services.  
16 ~~4.~~ 5. "Plan" means the children's health insurance program state plan.  
17 ~~5.~~ 6. "Poverty line" means the official income poverty line as defined by the United  
18 States office of management and budget and revised annually in accordance with  
19 42 U.S.C. 9902(2), applicable to a family of the size involved.  
20 7. "Unborn children" means individuals from conception to birth.

21 **SECTION 2.** A new subsection to section 50-29-02 of the North Dakota Century Code  
22 is created and enacted as follows:

23 Submit a plan as necessary to implement this chapter.

1           **SECTION 3.** Three new subsections to section 50-29-04 of the North Dakota Century  
2 Code are created and enacted as follows:

3                   Must include a procedure for screening any unborn children who would be  
4                   potentially eligible for medicaid services based on the eligibility of the applicant's  
5                   mother;

6                   Must exclude services for unborn children that are payable under the medical  
7                   assistance program as a service to an eligible pregnant woman under the medical  
8                   assistance program; and

9                   Must limit coverage for unborn children to prenatal services that would be available  
10                  to an eligible pregnant woman.