

Fifty-ninth  
Legislative Assembly  
of North Dakota

## REENGROSSED HOUSE BILL NO. 1459

Introduced by

Representatives Price, Devlin, Kaldor

Senators Brown, J. Lee, Warner

1 A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota  
2 Century Code, relating to medical assistance program management; to provide for a report;  
3 and to declare an emergency.

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

5 **SECTION 1.** A new section to chapter 50-24.1 of the North Dakota Century Code is  
6 created and enacted as follows:

7 **Medical assistance program management.** The department of human services, with  
8 respect to the state medical assistance program, shall:

- 9 1. Provide statewide targeted case management services for neonates and the two  
10 thousand medical assistance recipients with the highest cost for treatment of  
11 chronic diseases. Case management services must focus on those recipients in  
12 these groups which will result in the most cost-savings, taking into consideration  
13 available resources, and may include a primary pharmacy component for the  
14 management of medical assistance recipient medication.
- 15 2. Require medical assistance providers to use the appropriate diagnostic or reason  
16 and procedure codes when submitting claims for medical assistance  
17 reimbursement. The department may exempt qualified service providers and  
18 providers of institutional care services from this requirement.
- 19 3. Review and develop recommendations for the improvement of mental health  
20 treatment and services including the use of prescription drugs for medical  
21 assistance recipients.
- 22 4. Review and develop recommendations regarding whether the number of medical  
23 assistance recipients who are placed in out-of-state nursing homes should be  
24 reduced.

- 1           5.    Review and develop recommendations regarding whether the use of post-office
- 2                   addresses or street addresses are the appropriate mailing addresses for medical
- 3                   assistance recipients.
- 4           6.    Review and develop recommendations regarding whether to require medical
- 5                   assistance providers to secure prior authorization for certain high-cost medical
- 6                   procedures.
- 7           7.    Review and develop recommendations regarding whether a system for providing
- 8                   and requiring the use of photo identification medical assistance cards for all
- 9                   medical assistance recipients should be implemented.
- 10          8.    Review and develop recommendations regarding whether medical assistance
- 11               providers should be required to use tamper-resistant prescription pads.
- 12          9.    Develop a plan to provide information to blind and disabled medical assistance
- 13               recipients who may be eligible for part D benefits under the Medicare Prescription
- 14               Drug, Improvement, and Modernization Act of 2003 [Pub. L. 108-173; 117 Stat.
- 15               2066; 42 U.S.C. 1396kk-1]. The information must inform recipients of part D
- 16               benefits for which the recipient may be eligible.
- 17          10.   Review and recommend a plan for implementing the necessary infrastructure to
- 18               permit risk-sharing arrangements between the department and medical assistance
- 19               providers.

20           **SECTION 2. REPORT TO LEGISLATIVE COUNCIL.** During the 2005-06 interim, the

21 department of human services shall receive input from and report to the legislative council

22 regarding the development of recommendations required in section 1 of this Act.

23           **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.