

Sixtieth  
Legislative Assembly  
of North Dakota

## HOUSE BILL NO. 1411

Introduced by

Representative N. Johnson

1 A BILL for an Act to amend and reenact subsection 5 of section 65-05-07 of the North Dakota  
2 Century Code, relating to workers' compensation benefits for modification of real estate and  
3 vehicles; to provide for application; and to declare an emergency.

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

5 **SECTION 1. AMENDMENT.** Subsection 5 of section 65-05-07 of the North Dakota  
6 Century Code is amended and reenacted as follows:

7 5. ~~The~~ Under this section the organization may modify real estate and may provide  
8 for adaptations and modifications to motor vehicles as follows:

9 a. In the case of an injured employee who sustained a catastrophic injury, as  
10 defined in chapter 65-05.1, the organization may not pay more than an  
11 amount not to exceed fifty thousand dollars to provide permanent additions,  
12 remodeling, or adaptations to real estate it determines necessary for a worker  
13 who sustains a catastrophic injury as defined in chapter 65-05.1. The fifty  
14 thousand dollar limit is for the life of the injured employee, regardless of any  
15 subsequent claim. This subsection subdivision does not allow the  
16 organization to purchase any real estate or motor vehicles.

17 b. In the case of an injured employee who sustained a catastrophic injury, as  
18 defined in chapter 65-05.1, the organization may pay an amount not to  
19 exceed one hundred thousand dollars to provide the most cost-effective,  
20 specially equipped motor vehicle or vehicle adaptations the organization  
21 determines medically necessary. The organization may establish factors to  
22 be used in determining whether a specially equipped motor vehicle or  
23 adaptation is necessary. Under this subdivision, the organization may not pay  
24 for insurance of or maintenance of the motor vehicle. Within the dollar limit

1                   and under this subdivision, the organization may pay for vehicle or adaptation  
2                   replacement purchases. The dollar limit is for the life of the injured employee,  
3                   regardless of any subsequent claim.

4                   c. In the case of an injured employee who has not sustained a catastrophic  
5                   injury, as defined in chapter 65-05.1, the organization may provide the  
6                   benefits under subdivisions a and b if the organization determines the benefits  
7                   would be cost-effective and appropriate because of exceptional  
8                   circumstances as determined by the organization.

9                   **SECTION 2. APPLICATION.** Section 1 of this Act applies to all purchases and repairs  
10                  that take place on or after the effective date of this Act.

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