

Sixty-first
Legislative Assembly
of North Dakota

SENATE BILL NO. 2362

Introduced by

Senators Mathern, Heckaman, Potter

Representatives Conrad, Kaldor, Schneider

1 A BILL for an Act to create and enact two new sections to chapter 50-29 of the North Dakota
2 Century Code, relating to a children's health insurance buy-in program to be established by the
3 department of human services and the creation of a children's health insurance program
4 advisory committee; and to amend and reenact section 50-29-04 of the North Dakota Century
5 Code, relating to eligibility for the children's health insurance program.

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

7 **SECTION 1.** A new section to chapter 50-29 of the North Dakota Century Code is
8 created and enacted as follows:

9 **Children's health insurance buy-in program.** The department shall establish a
10 buy-in program through which a parent or guardian whose family net income exceeds the
11 income eligibility limit provided for under section 50-29-04 may purchase, on a sliding income
12 scale, a plan of coverage for a child who is uninsured. The coverage, copayments, and
13 deductibles for a plan of coverage purchased under this section must be comparable to the
14 coverage, copayments, and deductibles under the children's health insurance program. The
15 premium for coverage may not exceed the amount the children's health insurance program
16 pays per month for a child of comparable age whose family income is within the income
17 eligibility limit provided for under section 50-29-04. The department shall reimburse the county
18 for any costs incurred by the county in the implementation and administration of the buy-in
19 program.

20 **SECTION 2. AMENDMENT.** Section 50-29-04 of the North Dakota Century Code is
21 amended and reenacted as follows:

22 **50-29-04. Plan requirements.** The plan:

- 23 1. Must be provided through private contracts with insurance carriers;
24 2. Must allow conversion to another health insurance policy;

- 1 3. Must be based on an actuarial equivalent of a benchmark plan;
- 2 4. Must incorporate every state-required waiver approved by the federal government;
- 3 5. Must include community-based eligibility outreach services; and
- 4 6. Must provide:
 - 5 a. A net income eligibility limit of ~~one~~ two hundred ~~fifty~~ percent of the poverty
 - 6 line;
 - 7 b. A copayment requirement for each pharmaceutical prescription and for each
 - 8 emergency room visit;
 - 9 c. A deductible for each inpatient hospital visit;
 - 10 d. Coverage for:
 - 11 (1) Inpatient hospital, medical, and surgical services;
 - 12 (2) Outpatient hospital and medical services;
 - 13 (3) Psychiatric and substance abuse services;
 - 14 (4) Prescription medications;
 - 15 (5) Preventive screening services;
 - 16 (6) Preventive dental and vision services; and
 - 17 (7) Prenatal services; and
 - 18 e. A coverage effective date that is the first day of the month, ~~following the date~~
 - 19 of in which the application and or the determination of eligibility is made,
 - 20 whichever date is earlier.
 - 21 f. A retroactive coverage date for as many as three calendar months before the
 - 22 month in which the application was received. Eligibility for coverage must be
 - 23 established in each of those months for which coverage is sought.
- 24 7. The department shall seek a federal waiver to increase the income eligibility level
- 25 provided under subsection 6 to three hundred fifty percent of the poverty line.
- 26 Upon approval of the waiver, the income eligibility limit in subsection 6 is increased
- 27 to the limit approved by the waiver.

28 **SECTION 3.** A new section to chapter 50-29 of the North Dakota Century Code is
29 created and enacted as follows:

30 **Children's health insurance program advisory committee - Membership - Duties.**

31 The children's health insurance program advisory committee is composed of seven members

1 appointed by the governor. The members of the committee must be individuals who advocate
2 for children's health care and must include at least one member of the legislative assembly and
3 at least one parent with children under the age of eighteen. The term of office is four years
4 expiring on July thirty-first with no more than two terms expiring in any one year. Of the first
5 members appointed one member must be appointed for a term of one year, two members must
6 be appointed for terms of two years, two members must be appointed for terms of three years,
7 and two members must be appointed for terms of four years. A vacancy occurring other than
8 by reason of the expiration of a term must be filled in the same manner as original
9 appointments, except that the appointment may be made for only the remainder of the
10 unexpired term. The members are entitled to be paid for mileage and actual expenses incurred
11 in attending meetings and in performance of their official duties in amounts provided by law for
12 other state officers and employees. The children's health insurance program advisory
13 committee shall advise the department regarding the children's health insurance program and
14 the children's health insurance buy-in program.