

Sixty-first  
Legislative Assembly  
of North Dakota

**SENATE BILL NO.**

Introduced by

Senator Mathern

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.

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

20 **50-29-04. Plan requirements.** The plan:

- 21 1. Must be provided through private contracts with insurance carriers;  
22 2. Must allow conversion to another health insurance policy;  
23 3. Must be based on an actuarial equivalent of a benchmark plan;  
24 4. Must incorporate every state-required waiver approved by the federal government;

- 1           5.    Must include community-based eligibility outreach services; and
- 2           6.    Must provide:
- 3               a.    ~~A not An~~ income eligibility limit of ~~one~~ two hundred ~~fifty~~ percent of the poverty
- 4                    line;
- 5               b.    A copayment requirement for each pharmaceutical prescription and for each
- 6                    emergency room visit;
- 7               c.    A deductible for each inpatient hospital visit;
- 8               d.    Coverage for:
- 9                    (1)    Inpatient hospital, medical, and surgical services;
- 10                  (2)    Outpatient hospital and medical services;
- 11                  (3)    Psychiatric and substance abuse services;
- 12                  (4)    Prescription medications;
- 13                  (5)    Preventive screening services;
- 14                  (6)    Preventive dental and vision services; and
- 15                  (7)    Prenatal services; and
- 16               e.    A coverage effective date that is the first day of the month, following the date
- 17                    of application and determination of eligibility.
- 18           7.    The department shall seek a federal waiver to increase the income eligibility level
- 19                   provided under subsection 6 to three hundred fifty percent of the poverty line.
- 20                   Upon approval of the waiver, the income eligibility limit in subsection 6 is increased
- 21                   to the limit approved by the waiver.

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

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

25   The children's health insurance program advisory committee is composed of seven members  
26   appointed by the governor. The members of the committee must be individuals who advocate  
27   for children's health care and must include at least one member of the legislative assembly and  
28   at least one parent with children under the age of eighteen. The term of office is four years  
29   expiring on July thirty-first with no more than two terms expiring in any one year. Of the first  
30   members appointed one member must be appointed for a term of one year, two members must  
31   be appointed for terms of two years, two members must be appointed for terms of three years,

1 and two members must be appointed for terms of four years. A vacancy occurring other than  
2 by reason of the expiration of a term must be filled in the same manner as original  
3 appointments, except that the appointment may be made for only the remainder of the  
4 unexpired term. The members are entitled to be paid for mileage and actual expenses incurred  
5 in attending meetings and in performance of their official duties in amounts provided by law for  
6 other state officers and employees. The children's health insurance program advisory  
7 committee shall advise the department regarding the children's health insurance program and  
8 the children's health insurance buy-in program.