

Sixty-first  
Legislative Assembly  
of North Dakota

## HOUSE BILL NO.

Introduced by

Representative Kasper

1 A BILL for an Act to amend and reenact section 26.1-36-12.5 of the North Dakota Century  
2 Code, relating to a basic health insurance coverage policy pilot project and report to the  
3 legislative council; and to provide an expiration date.

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

5 **SECTION 1. AMENDMENT.** Section 26.1-36-12.5 of the North Dakota Century Code  
6 is amended and reenacted as follows:

#### 7 **26.1-36-12.5. Basic health insurance coverage - Exceptions to required coverage** 8 **- Pilot project - Report.**

- 9 1. An insurance company, a nonprofit health service corporation, or a health  
10 maintenance organization may deliver, issue, execute, and renew a basic health  
11 insurance coverage policy, health service contract, or evidence of coverage on an  
12 individual basis or an employer group, blanket, franchise, or association basis for  
13 employers with fewer than fifty employees. As used in this section, basic health  
14 insurance coverage means a policy, contract, or evidence of coverage issued  
15 under subsection 2 or 3.
- 16 2. ~~The~~ A basic health insurance coverage policy, contract, or evidence of coverage  
17 under this ~~section~~ subsection is not subject to sections 26.1-36-06.1, 26.1-36-08,  
18 26.1-36-09.1, 26.1-36-09.3, 26.1-36-09.6, 26.1-36-09.7, 26.1-36-09.9,  
19 26.1-36-09.10, 26.1-36-12.1, and 43-13-31. However, the insurance company,  
20 nonprofit health service corporation, or health maintenance organization shall  
21 make the coverage required under these sections available at the option of the  
22 individual or employer and may charge an additional premium for each coverage  
23 provided.

3. A basic health insurance coverage policy, contract, or evidence of coverage under this subsection must meet the requirements established by the commissioner.

a. During the 2009-10 interim, the commissioner shall consult with consumer advocates, small employers, health care providers, large and small health insurance providers, and other interested persons to evaluate the unmet health insurance needs in the state.

b. Before January 1, 2010, based upon the commissioner's findings under subdivision a, the commissioner shall establish a basic health insurance coverage pilot program with the goal of better meeting the unmet health insurance needs in the state. The pilot program is not subject to state accident and health insurance coverage mandates unless the law specifically identifies application to a basic health insurance coverage policy under this subsection.

c. Before August 1, 2010, the commissioner shall make a pilot program status report to the legislative council. As part of this report, the commissioner shall report on:

(1) The evaluation conducted under subdivision a;

(2) The terms of the pilot program established, including which elements of the program differ from the statutory or administrative requirements of nonpilot program health insurance coverage;

(3) Steps taken to market the pilot program to insurers and consumers;

(4) The number of covered lives under the pilot program; and

(5) Whether the pilot program should be extended.

4. Any law that becomes effective after January 1, 2001, which provides for an accident and health insurance coverage mandate does not apply to a basic health insurance policy issued under this section unless the law specifically identifies application to a basic health insurance coverage policy.

**SECTION 2. EXPIRATION DATE.** This Act is effective through July 31, 2011, and after that date is ineffective.