

Sixty-second  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2221**

Introduced by

Senator Mathern

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 coverage by health insurance providers; and to  
3 provide for a report to the legislative management.

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 created  
6 and enacted as follows:

7 **Provision through health providers - Waivers - Report to the legislative management.**

- 8 1. In lieu of traditional medical assistance coverage for medical assistance-eligible adults  
9 in the caretaker adult group ~~and for medical assistance-eligible adults in the~~  
10 ~~transitional medicaid group~~, the department of human services shall negotiate with  
11 ~~state and~~ private entities to purchase private health insurance coverage ~~and~~. The  
12 scope of covered services; benefit levels; and deductibles, coinsurance factors,  
13 copayments, exclusions, and limitations under the private health insurance coverage  
14 must be comparable to that provided under the public employees retirement system  
15 health insurance coverage. The department may allow for the terms of the private  
16 health insurance coverage to vary from the terms of the public employees retirement  
17 system coverage as appropriate to meet the needs of the caretaker adult group. The  
18 department shall seek appropriate waivers of the requirements of federal statutes or  
19 regulations as authorized by federal law.
- 20 2. Effective ~~January~~ July 1, 2012, the department of human services shall offer the  
21 provision of health insurance coverage as provided for under subsection 1. Annually,  
22 the department shall provide medical assistance-eligible adults in the caretaker adult  
23 group ~~and medical assistance-eligible adults in the transitional medicaid group~~ the  
24 opportunity to select whether to receive medical service coverage through the

- 1           traditional medical assistance program or whether to receive coverage through health  
2           insurance. In order to assist in informed decisionmaking, the department shall provide  
3           the eligible adults in the caretaker adult group information regarding the differences  
4           and similarities between the traditional medical assistance program coverage and  
5           private health insurance coverage, including information regarding covered services  
6           and out-of-pocket expenses.
- 7           3. Annually, the department of human services shall report to the legislative management  
8           on the status of implementation of this section.