

**HOUSE BILL NO. 1386**  
**with Senate Amendments**  
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Introduced by

Representatives Onstad, Kempenich, Delmore

Senators Andrist, Warner

1 A BILL to provide for a legislative management study and a report from the insurance  
2 department.

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

4 **SECTION 1. LEGISLATIVE MANAGEMENT STUDY - REPORT FROM INSURANCE**  
5 **DEPARTMENT.**

- 6 1. During the 2011-12 interim, the legislative management shall consider studying  
7 whether steps can be taken to improve health care service providers' access to  
8 third-party payer reimbursement network systems in order to improve North Dakotans'  
9 access to health care services and to contain their health care costs and out-of-pocket  
10 expenses. For purposes of this study, health care services include major medical as  
11 well as dental and vision services. The study may include consideration of:
- 12 a. Whether it would improve patients' freedom of choice by allowing all health care  
13 service providers the opportunity to be included in network systems and  
14 negotiating deeper discounts with third-party payers;
  - 15 b. Whether a third-party payer for health care services should have the ability to  
16 deny a health care service provider the right to provide services or to negotiate a  
17 contract for services that do not cover the the provider's entire scope of practice;
  - 18 c. Whether current practices in preferred provider arrangements allow third-party  
19 payers to interfere with a patient's continuity of care; and
  - 20 d. The positive or negative impact any changes in the current practice may have on:
    - 21 (1) Insurance companies doing business in the state, including managed care  
22 companies and health management organizations; and
    - 23 (2) Health insurance premiums.

- 1        2.    As part of the study, the insurance department may assist the legislative management  
2            by gathering information regarding current practices, including whether health care  
3            providers are being denied provider contracts by insurance companies and other  
4            third-party payers. The department shall make periodic reports to the legislative  
5            management on the status of this information gathering.
- 6        3.    The legislative management shall report its findings and recommendations, together  
7            with any legislation required to implement the recommendations, to the sixty-third  
8            legislative assembly.