

Sixty-second
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1453

Introduced by

Representative Maragos

Senator Larsen

1 A BILL for an Act to amend and reenact subsection 5 of section 65-05-07 of the North Dakota
2 Century Code, relating to workers' compensation coverage for real estate modifications; and to
3 provide for application.

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

5 **SECTION 1. AMENDMENT.** Subsection 5 of section 65-05-07 of the North Dakota Century
6 Code is amended and reenacted as follows:

7 5. Under this section, the organization may modify real estate and may provide for
8 adaptations and modifications to motor vehicles as follows:

9 a. In the case of an injured employee who sustained a catastrophic injury, as
10 defined in chapter 65-05.1, the organization may pay an amount not to exceed
11 ~~fifty~~seventy-five thousand dollars to provide permanent additions, remodeling, or
12 adaptations to real estate it determines necessary. The dollar limit is for the life of
13 the injured employee, regardless of any subsequent claim. This subdivision does
14 not allow the organization to purchase any real estate.

15 b. In the case of an injured employee who sustained a catastrophic injury, as
16 defined in chapter 65-05.1, the organization may pay an amount not to exceed
17 one hundred thousand dollars to provide the most cost-effective, specially
18 equipped motor vehicle or vehicle adaptations the organization determines
19 medically necessary. The organization may establish factors to be used in
20 determining whether a specially equipped motor vehicle or adaptation is
21 necessary. Under this subdivision, the organization may not pay for insurance of
22 or maintenance of the motor vehicle. Within the dollar limit and under this
23 subdivision, the organization may pay for vehicle or adaptation replacement

1 purchases. The dollar limit is for the life of the injured employee, regardless of
2 any subsequent claim.

3 c. In the case of an injured employee who has not sustained a catastrophic injury,
4 as defined in chapter 65-05.1, the organization may provide the benefits under
5 subdivisions a and b if the organization determines the benefits would be
6 cost-effective and appropriate because of exceptional circumstances as
7 determined by the organization.

8 **SECTION 2. APPLICATION.** Section 1 of this Act applies to all purchases and repairs that
9 take place on or after the effective date of this Act.