

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2309

Page 1, line 1, after "chapter" insert "26.1-36 and a new section to chapter"

Page 1, line 2, after "to" insert "accident and health insurance coverage and"

Page 1, after line 3, insert:

**"SECTION 1.** A new section to chapter 26.1-36 of the North Dakota Century Code is created and enacted as follows:

**Health insurance coverage not required - Freedom to choose and provide medical services.**

1. Regardless of whether a resident of this state has or is eligible for health insurance coverage under a health insurance policy, health service contract, or evidence of coverage by or through an employer, under a plan sponsored by the state or federal government, or from any source, a person may not require the resident to obtain or maintain a policy of health coverage or penalize a resident for failure to obtain or maintain a policy of health coverage. This subsection does not apply to coverage that is required by a court order or by the department of human services through a court or administrative proceeding.
2. Regardless of whether a resident of this state has or is eligible for health insurance coverage, a person may not take any action or inaction that would have the effect of:
  - a. Preventing, attempting to prevent, interfering with, or withholding medical treatment from that resident; or
  - b. Preventing, attempting to prevent, or interfering with that resident's choice or selection of a qualified medical treatment provider located in this state for the provision of legal medical treatment.
3. A person may not prevent, attempt to prevent, or interfere with the provision of legal medical treatment by a qualified medical treatment provider located in this state to a resident of this state.
4. This section does not apply to:
  - a. An individual who voluntarily applies for coverage under a state-administered program pursuant to the medical assistance program under title XIX of the federal Social Security Act [42 U.S.C. 1396 et seq.] or the state's children's health insurance program under title XXI of the federal Social Security Act [42 U.S.C. 1397aa et seq.].
  - b. A student who is required by an institution of higher education to obtain and maintain health insurance as a condition of enrollment.
  - c. An individual who is required by a religious institution to obtain and maintain health insurance.

5. This section does not impair the right of an individual to contract privately for health insurance coverage for family members or former family members or the right of an employer to contract voluntarily for health insurance coverage for employees."

Page 1, line 9, after the underscored closing bracket insert "likely"

Page 1, line 10, after the first "and" insert "may"

Renumber accordingly