

January 30, 2019

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1115

Page 1, line 1, remove "a new section to chapter 12-44.1,"

Page 1, line 2, remove the first comma

Page 1, line 2, replace "a" with "two"

Page 1, line 2, replace "section" insert "sections"

Page 1, line 3, remove "payment of claims received on behalf of inmates,"

Page 1, line 4, remove "and"

Page 1, line 4, after "persons" insert ", and medical assistance claims processing"

Page 1, line 7, after "50-24.1-12" insert ", 50-24.1-14"

Page 1, line 9, after "50-24.1-33" insert ", 50-24.1-34"

Page 1, line 12, remove "and"

Page 1, line 13, after the second comma insert "and"

Page 1, line 13, remove ", 50-24.1-34, and 50-24.1-38"

Page 1, line 14, after "persons" insert "; and to provide an effective date"

Page 1, remove lines 16 through 21

Page 2, after line 20, insert:

**"SECTION 4.** A new section to chapter 50-24.1 of the North Dakota Century Code is created and enacted as follows:

**Medicaid and Medicare eligible individuals.**

The department may not require prior authorization, additional documentation not required by Medicare, or additional prescription requirements of durable medical equipment and supplies in order to process a claim for Medicaid-eligible individuals who are also eligible for Medicare if an item has been paid by Medicare, unless the item is not covered by Medicaid."

Page 17, after line 26, insert:

**"SECTION 22. AMENDMENT.** Section 50-24.1-14 of the North Dakota Century Code is amended and reenacted as follows:

**50-24.1-14. Responsibility for expenditures.**

~~Expenditures~~Notwithstanding section 50-24.1-34, expenditures required under this chapter are the responsibility of the federal government or the state of North Dakota."

Page 21, line 1, after "days" insert "of receipt of the notice for review, if the department has denied payment for a medical assistance claim or reduced the level of service payment for a service and within seventy-five days"

Page 21, line 2, after "review" insert ", if the department has recouped or adjusted claim, or part of a claim, following an audit"

Page 27, after line 23, insert:

**"SECTION 35. AMENDMENT.** Section 50-24.1-34 of the North Dakota Century Code is amended and reenacted as follows:

**50-24.1-34. Processing of claims submitted on behalf of inmates.**

The department of human services shall process claims submitted by enrolled medical providers on behalf of inmates at county jails. Each county shall pay the department for the paid amount for the claims processed and also a processing fee for each claim submission. The department ~~shall~~may establish a processing fee that may not exceed ~~thirty~~fifty dollars and shall update the fee annually on July first. The processing fee must be based on the ~~annual~~actual costs to the department of the claims processing operations divided by the annual volume of claims submitted. The department shall invoice each county for payment of the processing fee. ~~Beginning July 1, 2011, the department of human services shall increase the claims processing fee to recover the cost of the Medicaid claims system changes. The department shall deposit the portion of the fee associated with recovering the costs of the Medicaid claims system changes in the general fund."~~

Page 29, line 20, remove ", or as soon thereafter as possible"

Page 30, line 23, after the third comma insert "and"

Page 30, line 23, remove ", 50-24.1-34, and 50-24.1-38"

Page 30, after line 24, insert:

**"SECTION 40. EFFECTIVE DATE.** Section 4 of this Act becomes effective on January 1, 2020."

Renumber accordingly