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Sixty-seventh
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1465

Introduced by

Representatives Westlind, Tveit, Weisz

1 A BILL for an Act to create and enact section 26.1-36-12.7 of the North Dakota Century Code,
2 relating to freedom of choice for health care services.

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

4 **SECTION 1.** Section 26.1-36-12.7 of the North Dakota Century Code is created and
5 enacted as follows:

6 26.1-36-12.7. Freedom of choice for health care services.

7 1. As used in this section:

8 a. "Health care provider" includes an individual licensed under chapter 43-05,
9 43-06, 43-12.1 as a registered nurse or as an advanced practice registered
10 nurse, 43-13, 43-15, 43-17, 43-26.1, 43-28, 43-32, 43-37, 43-40, 43-41, 43-42,
11 43-44, 43-45, 43-47, 43-58, or 43-60.

12 b. "Policy" means an accident and health insurance policy, contract, or evidence of
13 coverage on a group, individual, blanket, franchise, or association basis.

14 2. No health insurer, including the North Dakota Medicaid program, may obstruct patient,

15 choice by excluding a health care provider licensed under the laws of this state from,

16 participating on the health insurer's panel of providers if the provider is located within the,

17 geographic coverage area of the health benefit plan and is willing and fully qualified to meet,

18 the terms and conditions of participation as established by the health insurer,

14 as established by the health insurer. An insurer may not deliver, issue, execute, or renew a
15 policy if that policy;

15 a. Denies a health care provider the right to participate as a participating provider

16 for any policy on the same terms and conditions as are offered to any other

17 provider of health care services under the policy; or

18 b. Prevents an individual who is a party to or beneficiary of a policy from selecting a

19 health care provider of the individual's choice to furnish the health care services

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~~20 offered under any policy, provided that the health care provider is a participating~~
~~21 provider under the same terms and conditions of the policy as those offered to~~
~~2219 any other health care provider.~~

