

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.~~for an Act to provide for a legislative
3 management study of health insurance networks.

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

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

7 ~~26.1-36-12.7. Freedom of choice for health care services.~~

8 ~~1. As used in this section:~~

9 ~~a. "Health care provider" includes an individual licensed under chapter 43-05,~~
10 ~~43-06, 43-12.1 as a registered nurse or as an advanced practice registered~~
11 ~~nurse, 43-13, 43-15, 43-17, 43-26.1, 43-28, 43-32, 43-37, 43-40, 43-41, 43-42,~~
12 ~~43-44, 43-45, 43-47, 43-58, or 43-60.~~

13 ~~b. "Policy" means a health insurance policy, contract, or evidence of coverage on a~~
14 ~~group, individual, blanket, franchise, or association basis.~~

15 ~~2. A health insurer, including the North Dakota Medicaid program, may not obstruct~~
16 ~~patient choice by excluding a health care provider licensed under the laws of this state~~
17 ~~from participating on the health insurer's panel of providers if the provider is located~~
18 ~~within the geographic coverage area of the health benefit plan and is willing and fully~~
19 ~~qualified to meet the terms and conditions of participation, as established by the health~~
20 ~~insurer.~~

21 **SECTION 1. LEGISLATIVE MANAGEMENT STUDY - HEALTH INSURANCE**
22 **NETWORKS.**

- 23 1. During the 2021-22 interim, the legislative management shall consider studying health
24 insurance networks, including narrow networks. The study must include:

- 1 a. Consideration of the use and regulation of broad and narrow networks in the
- 2 state by individuals and employers, the sales and marketing of broad and narrow
- 3 networks, consumer choice-of-provider implications, premium differentials offered
- 4 between broad and narrow networks;
- 5 b. A review of legislative history regarding the exclusive provider organizations and
- 6 preferred provider organizations;
- 7 c. A comparison of health maintenance organizations and other health insurer
- 8 types; and
- 9 d. An examination of the implications for individual health plans offered on the
- 10 marketplace, for health plans regulated by the federal Employee Retirement
- 11 Income Security Act of 1974, and of the growth of value-based purchasing.
- 12 2. The legislative management shall report its finding and recommendations, together
- 13 with any legislation required to implement the recommendations, to the sixty-eighth
- 14 legislative assembly.