

**Sixty-eighth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 3, 2023**

HOUSE BILL NO. 1416
(Representatives Kiefert, K. Anderson, Rohr, M. Ruby, Tveit, Vigesaa, Weisz)
(Senators Conley, Wobbema)

AN ACT to create and enact section 26.1-36-12.7 of the North Dakota Century Code, relating to freedom of choice for health care services; and to provide for application.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

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

1. As used in this section:
 - a. "Health benefit plan" has the same meaning as provided in section 26.1-36.3-01.
 - b. "Health care provider" includes an individual licensed under chapters 43-05, 43-06, 43-12.1 as a registered nurse or as an advanced practice registered nurse, 43-13, 43-15, 43-17, 43-26.1, 43-28, 43-32, 43-37, 43-40, 43-41, 43-42, 43-44, 43-45, 43-47, 43-58, or 43-60.
 - c. "Integrated delivery network" means a system of health care providers and facilities which offer both health care services and health benefit plans.
2. A health insurer, including the Medicaid program, which is part of an integrated delivery network may not obstruct patient choice by excluding a health care provider licensed under the laws of this state from participating on the health insurer's panel of providers if the provider is located within the geographic coverage area of the health benefit plan and is willing and fully qualified to meet the terms and conditions of participation, as established by the health insurer.

SECTION 2. APPLICATION. This Act applies to health benefit plans offered or sold on or after December 31, 2024.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1416.

House Vote: Yeas 89 Nays 3 Absent 2

Senate Vote: Yeas 27 Nays 20 Absent 0

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2023.

Approved at _____ M. on _____, 2023.

Governor

Filed in this office this _____ day of _____, 2023,

at _____ o'clock _____ M.

Secretary of State

Honorable Michael Howe
Secretary of State
Bismarck, North Dakota

I certify this Act, House Bill No. 1416, together with the objections of Governor Burgum, was returned to the House, being the body in which it originated, on January 16, 2023; that the objections of the Governor were read at length on April 17, 2023, and entered upon the Journal; that the Bill was taken up for reconsideration; that the motion for reconsideration prevailed on April 18, 2023, at 7:46 a.m.; and the roll was called and the Bill did pass, with more than two-thirds of the members-elect voting in the affirmative.

Vote:	Yeas	90
	Nays	0
	Absent and not voting	4

Speaker of the House

Chief Clerk of the House

Honorable Michael Howe
Secretary of State
Bismarck, North Dakota

I certify this Act, House Bill No. 1416, together with the objections of Governor Burgum, was received from the House, being the body in which it originated, on January 16, 2023; that the objections of the Governor were read at length on April 19, 2023, and entered upon the Journal; that the Bill was taken up for reconsideration; that the motion for reconsideration prevailed on April 19, 2023, at 12:49 p.m.; and the roll was called and the Bill did pass, with more than two-thirds of the members-elect voting in the affirmative.

Vote:	Yeas	36
	Nays	11
	Absent and not voting	0

President of the Senate

Secretary of the Senate