

HOUSE BILL NO. 1416

Introduced by

Representatives Kiefert, K. Anderson, Rohr, M. Ruby, Tveit, Vigesaa, Weisz

Senators Conley, Wobbema

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 benefit plan" has the same meaning as provided in section 26.1-36.3-01.

9 b. "Health care provider" includes an individual licensed under chapters 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.c. "Integrated delivery network" means a system of health care providers and
14 facilities which offer both health care services and policieshealth benefit plans.

15 ~~c. "Policy" means a health insurance policy, contract, or evidence of coverage on a~~
16 ~~group, individual, blanket, franchise, or association basis.~~

17 2. A health insurer, including the Medicaid program, which is part of an integrated
18 delivery network ~~or a policy directly affiliated with or administered for a health care~~
19 ~~provider~~ may not obstruct patient choice by excluding a health care provider licensed
20 under the laws of this state from participating on the health insurer's panel of providers
21 if the provider is located within the geographic coverage area of the health benefit plan
22 and is willing and fully qualified to meet the terms and conditions of participation, as
23 established by the health insurer.