

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

HOUSE CONCURRENT RESOLUTION NO. 3011
(Representative Weisz)
(Senator Lee)

A concurrent resolution urging the Insurance Commissioner to facilitate a change in the essential health benchmark plan for future Affordable Care Act health plans.

WHEREAS, the state has the opportunity to make changes in the essential health benchmark plan for future plan years in accordance with federal requirements and through coordination with federal contacts; and

WHEREAS, the Insurance Commissioner should add to the essential health benchmark plan restricted cost-sharing for diabetes, providing a limited cost-sharing for a 30-day supply of covered insulin drugs, not to exceed \$25, regardless of the quantity or type of insulin, and of covered medical supplies for insulin dosing and administration, not to exceed \$25, regardless of the quantity or manufacturer of supplies; and

WHEREAS, the Insurance Commissioner should add to the essential health benchmark plan coverage for one hearing aid per hearing-impaired ear every 36 months or more often if there is a significant change in the insured's hearing status as determined by the licensed physician or audiologist; and

WHEREAS, the Insurance Commissioner should add to the essential health benchmark plan coverage for dietary or nutritional screening, counseling, and therapy for obesity, diabetes-related diagnosis, or a chronic illness or condition that could be managed through nutritional or weight loss programs, up to 12 sessions every policy year, if prescribed by the insured's physician; and

WHEREAS, the Insurance Commissioner should add to the essential health benchmark plan coverage for diagnosis and treatment of periodontal disease in acute or chronic disease state if recommended by a board-certified medical practitioner based on health-related impacts or on further deterioration in disease state due to gum disease; and

WHEREAS, the Insurance Commissioner should add to the essential health benchmark plan coverage for position emission tomography scans for an insured who has a prostate cancer diagnosis, including an insured who is in remission or who is cured, which would include at least two different types of position emission tomography scans upon initial diagnosis if requested by a physician, and one position emission tomography scan every 6 months for the life of the insured; and

WHEREAS, the Insurance Commissioner should add to the essential health benchmark plan steps to address the opioid epidemic, including limiting the first fill of opioid prescriptions to 7 days, removing barriers for drugs used in the treatment of opioid use disorder or opioid replacement drugs; and requiring coverage for an easy-to-use overdose antidote when prescribing high-dose opioids;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Sixty-eighth Legislative Assembly urges the Insurance Commissioner to facilitate a change in the essential health benchmark plan for future Affordable Care Act health plans; and

BE IT FURTHER RESOLVED, that the Secretary of State forward a copy of this resolution to the Insurance Commissioner.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate