

Fifty-sixth  
Legislative Assembly  
of North Dakota

## ENGROSSED HOUSE BILL NO. 1136

Introduced by

Human Services Committee

(At the request of the State Board of Medical Examiners)

1 A BILL for an Act to create and enact a new section to chapter 65-02 of the North Dakota  
2 Century Code, relating to managed care for workers' compensation; to amend and reenact  
3 subsection 4 of section 26.1-26.4-02 and subsection 8 of section 26.1-26.4-04 of the North  
4 Dakota Century Code, relating to the definition of utilization review and to minimum standards  
5 of utilization review agents; and to provide an effective date.

6 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

7 **SECTION 1. AMENDMENT.** Subsection 4 of section 26.1-26.4-02 of the North Dakota  
8 Century Code is amended and reenacted as follows:

9 4. "Utilization review" means a system for prospective and concurrent review of the  
10 necessity and appropriateness in the allocation of health care resources and  
11 services that are subject to state insurance regulation and which are given or  
12 proposed to be given to an individual within this state. Utilization review does not  
13 include elective requests for clarification of coverage.

14 **SECTION 2. AMENDMENT.** Subsection 8 of section 26.1-26.4-04 of the North Dakota  
15 Century Code is amended and reenacted as follows:

16 8. ~~Physicians or psychologists~~ Psychologists making utilization review determinations  
17 shall have current licenses from ~~a state licensing agency in the United States~~ the  
18 state board of psychologist examiners. Physicians making utilization review  
19 determinations shall have current licenses from the state board of medical  
20 examiners.

21 **SECTION 3.** A new section to chapter 65-02 of the North Dakota Century Code is  
22 created and enacted as follows:

23 **Licensure required for psychologists and physicians performing utilization**  
24 **review.** Psychologists making utilization review determinations under sections 65-02-20 and

1 65-02-21 shall have current licenses from the state board of psychologist examiners.  
2 Physicians making utilization review determinations under 65-02-20 and 65-02-21 shall have  
3 current licenses from the state board of medical examiners. This requirement does not apply to  
4 psychologists or physicians conducting independent medical examinations under section  
5 65-05-28.

6 **SECTION 4. EFFECTIVE DATE.** Section 2 of this Act becomes effective on August 1,  
7 2000.