

**SENATE BILL NO. 2056**

Introduced by

Legislative Council

(Workers' Compensation Review Committee)

1 A BILL for an Act to amend and reenact subsection 2 of section 65-05-28 of the North Dakota  
2 Century Code, relating to workers' compensation mileage reimbursement for injured employees'  
3 medical travel; and to provide for application.

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

5 **SECTION 1. AMENDMENT.** Subsection 2 of section 65-05-28 of the North Dakota  
6 Century Code is amended and reenacted as follows:

7 2. Travel and other personal reimbursement for seeking and obtaining medical care is  
8 paid only upon request of the injured employee. All claims for reimbursement must  
9 be supported by the original vendor receipt and must be submitted within one year  
10 of the date the expense was incurred or reimbursement must be denied.

11 Reimbursement must be made at the organization reimbursement rates in effect on  
12 the date of incurred travel or expense. ~~Mileage calculations must be based upon~~  
13 ~~the atlas or map mileage from city limit to city limit and do not include intracity~~  
14 ~~mileage.~~ The calculation for reimbursement for travel by motor vehicle must be  
15 calculated using miles actually and necessarily traveled. Providing further that:

- 16 a. ~~No payment~~ Payment for mileage or other travel expenses may not be made  
17 when the distance traveled is less than fifty miles [80.47 kilometers] one way,  
18 unless the total mileage equals or exceeds two hundred miles [321.87  
19 kilometers] in a calendar month;
- 20 b. All travel reimbursements are payable at the rates at which state employees  
21 are paid per diem and mileage, except that the organization may pay no more  
22 than actual cost of meals and lodging, if actual cost is less;
- 23 c. Reimbursement may not be paid for travel other than that necessary to obtain  
24 the closest available medical or hospital care needed for the injury. If the

- 1 injured employee chooses to seek medical treatment outside a local area  
2 where care is available, travel reimbursement may be denied;
- 3 d. Reimbursement may not be paid for the travel and associated expenses  
4 incurred by the injured employee's spouse, children, or other persons unless  
5 the employee's injury prevents travel alone and the inability is medically  
6 substantiated; and
- 7 e. Other expenses, including telephone calls and car rentals are not  
8 reimbursable expenses.

9 **SECTION 2. APPLICATION.** This Act applies to travel that takes place on or after the  
10 effective date of this Act.