

**FIRST ENGROSSMENT  
with House Amendments**

Sixty-first  
Legislative Assembly  
of North Dakota

**ENGROSSED SENATE BILL NO. 2432**

Introduced by

Senator O'Connell

1 A BILL for an Act to amend and reenact subsections 1 and 3 of section 65-05-28.2 of the North  
2 Dakota Century Code, relating to preferred providers for work-related injuries.

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

4 **SECTION 1. AMENDMENT.** Subsections 1 and 3 of section 65-05-28.2 of the North  
5 Dakota Century Code are amended and reenacted as follows:

- 6 1. During the first ~~sixty~~ thirty days after a work injury, an employee of an employer  
7 who has selected a preferred provider under this section may seek medical  
8 treatment only from the preferred provider for the injury. Treatment by a provider  
9 other than the preferred provider is not compensable and the organization may not  
10 pay for treatment by a provider who is not a preferred provider, unless a referral  
11 was made by the preferred provider. A provider who is not a preferred provider  
12 may not certify disability or render an opinion about any matter pertaining to the  
13 injury, including causation, compensability, impairment, or disability. This section  
14 does not apply to emergency care nor to any care the employee reasonably did  
15 not know was related to a work injury.
- 16 3. After ~~sixty~~ thirty days have passed following the injury, the employee may make a  
17 written request to the organization to change providers. The employee shall make  
18 the request and serve it on the employer and the organization at least thirty days  
19 prior to treatment by the provider. The employee shall state the reasons for the  
20 request and the employee's choice of provider.