

HOUSE BILL NO. 1165

Introduced by

Representatives Kreidt, Pollert, Porter, Weisz

Senators Fischer, Kilzer

1 A BILL for an Act to create and enact a new section to chapter 26.1-36 of the North Dakota
2 Century Code, relating to individual accident and health insurance coverage.

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

4 **SECTION 1.** A new section to chapter 26.1-36 of the North Dakota Century Code is created
5 and enacted as follows:

6 **Health insurance coverage not required.**

7 1. Regardless of whether a resident of this state has or is eligible for health insurance
8 coverage under a health insurance policy, health service contract, or evidence of
9 coverage by or through an employer or under a plan sponsored by the state or federal
10 government, the resident is not required to obtain or maintain a policy of individual
11 health coverage except as may be required by a court or by the department of human
12 services through a court or administrative proceeding.

13 2. This section does not render a resident of this state liable for any penalty, assessment,
14 fee, or fine as a result of the resident's failure to procure or obtain health insurance
15 coverage.

16 ~~3. This section does not apply to an individual who voluntarily applies for coverage under~~
17 ~~a state-administered program pursuant to the medical assistance program under title~~
18 ~~XIX of the federal Social Security Act [42 U.S.C. 1396 et seq.] or the state's children's~~
19 ~~health insurance program under title XXI of the federal Social Security Act [42 U.S.C.~~
20 ~~1397aa et seq.]. This section does not apply to a student who is required by an~~
21 ~~institution of higher education to obtain and maintain health insurance as a condition of~~
22 ~~enrollment. This section does not impair the rights of an individual to contract privately~~
23 ~~for health insurance coverage for family members or former family members.~~

24 3. This section does not apply to:

- 1 a. An individual who voluntarily applies for coverage under a state-administered
2 program pursuant to the medical assistance program under title XIX of the
3 federal Social Security Act [42 U.S.C. 1396 et seq.] or the state's children's health
4 insurance program under title XXI of the federal Social Security Act [42 U.S.C.
5 1397aa et seq.].
- 6 b. A student who is required by an institution of higher education to obtain and
7 maintain health insurance as a condition of enrollment.
- 8 c. An individual who is required by a religious institution to obtain and maintain
9 health insurance.
- 10 4. This section does not impair the rights of an individual to contract privately for health
11 insurance coverage for family members or former family members.