

Introduced by

Representative Keiser

(At the request of the Insurance Commissioner)

1 A BILL for an Act to create and enact a new section to chapter 26.1-02 of the North Dakota  
2 Century Code, relating to compliance with federal law by health insurers; to provide for  
3 application; and to declare an emergency.

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

5 **SECTION 1.** A new section to chapter 26.1-02 of the North Dakota Century Code is created  
6 and enacted as follows:

7 **Compliance with federal law.**

8 The commissioner shall administer and enforce the provisions of the Patient Protection and  
9 Affordable Care Act [Pub. L. 111-148] and the provisions of the Health Care and Education  
10 Reconciliation Act of 2010 [Pub. L. 111-152] to the extent that the provisions apply to insurance  
11 companies subject to the commissioner's jurisdiction and to the extent that the provisions are  
12 not under the exclusive jurisdiction of any federal agency.

13 **SECTION 2. APPLICATION.** In carrying out the requirements of section 1 of this Act, the  
14 insurance commissioner shall provide regular updates to the legislative management during the  
15 2011-12 interim. The commissioner shall submit proposed legislation to the legislative  
16 management for consideration at a special legislative session if the commissioner is required by  
17 federal law to implement any program or requirement before January 1, 2013. For any program  
18 or requirement that must be implemented between January 1, 2013, and January 1, 2014, the  
19 commissioner shall submit proposed legislation to the legislative management before  
20 October 15, 2012.

21 **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.