

FISCAL NOTE
Requested by Legislative Council
04/08/2011

Amendment to: Engrossed
SB 2309

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

| | 2009-2011 Biennium | | 2011-2013 Biennium | | 2013-2015 Biennium | |
|----------------|--------------------|-------------|--------------------|-------------|--------------------|-------------|
| | General Fund | Other Funds | General Fund | Other Funds | General Fund | Other Funds |
| Revenues | | | | | | |
| Expenditures | | | | | | |
| Appropriations | | | | | | |

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

| 2009-2011 Biennium | | | 2011-2013 Biennium | | | 2013-2015 Biennium | | |
|--------------------|--------|------------------|--------------------|--------|------------------|--------------------|--------|------------------|
| Counties | Cities | School Districts | Counties | Cities | School Districts | Counties | Cities | School Districts |
| | | | | | | | | |

2A. Bill and fiscal impact summary: *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

The engrossed bill provides that a North Dakota resident has the right to seek medical treatment and services from any properly licensed medical provider in this state and that no person may prevent or interfere with the right of any properly licensed medical provider.

B. Fiscal impact sections: *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Section 1 of the amended bill provides that a North Dakota resident has the right to seek medical treatment and services from any properly licensed medical provider in this state; a person may not prevent or interfere with the right of any properly licensed medical provider in this state to provide to that resident medical treatment and services within that medical provider's scope of practice; and a medical provider in this state has the right to provide or deny medical treatment and services to that resident as provided by law.

The Department is uncertain as to the meaning of the language contained in amendment 11.0742.03013 and is unable to determine its fiscal impact.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

The engrossed bill provides that a North Dakota resident has the right to seek medical treatment and services from any properly licensed medical provider in this state and that no person may prevent or interfere with the right of any properly licensed medical provider in this state to provide to that resident medical treatment and services. It further provides that a medical provider in this state has the right to provide or deny medical treatment and services as provided by law.

The Department is uncertain as to the meaning of the language contained in amendment 11.0742.03013 and is unable to determine its fiscal impact.

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

If enacted as amended, this bill will not affect current expenditure levels.

The Insurance Department has estimated a combined total of \$35,759,539 in expenditures for the 2011-2013 biennium in the original versions of HB 1126 and SB 2010 related to implementing the provisions of the federal health care reform law. \$34,000,000 of these expenditures would be paid for from federal grants and \$1,759,539 would be paid out of the state Insurance Regulatory Trust fund.

The Department is uncertain as to the meaning of the language contained in amendment 11.0742.03013 and is unable to determine its fiscal impact.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

If enacted as amended, this bill will not affect current appropriation levels but could negate the need for the Department to request additional appropriation authority in the future to implement the provisions of the federal health care reform law if legislation preventing the enforcement of the federal health care reform law is enacted.

The Insurance Department has requested a combined total of \$35,759,539 in additional appropriation authority for the 2011-2013 biennium in the original versions of HB 1126 and SB 2010 related to implementing the provisions of the federal healthcare reform law. The funding breakdown for the estimated appropriation is \$34,000,000 of federal funds and \$1,759,539 of special funds.

The Department is uncertain as to the meaning of the language contained in amendment 11.0742.03013 and is unable to determine its fiscal impact.

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| Name: | Larry Martin | Agency: | Insurance Department |
| Phone Number: | 328-2930 | Date Prepared: | 04/12/2011 |