



HEALTH CARE COMMITTEE

Thursday, June 16, 2022
Roughrider Room, State Capitol
Bismarck, North Dakota

Representative Robin Weisz, Chairman, called the meeting to order at 9:00 a.m.

Members present: Representatives Robin Weisz, Pamela Anderson, Mike Beltz, Ruth Buffalo, Clayton Fegley, Zachary Ista, Jim Kasper, Lisa Meier, Marvin E. Nelson, Bob Paulson, Karen M. Rohr; Senators Howard C. Anderson, Jr., Tim Mathern, Kristin Roers

Members absent: Representatives Gretchen Dobervich, Greg Westlind; Senator Dave Oehlke

Others present: See [Appendix A](#)

It was moved by Senator Mathern, seconded by Representative Meier, and carried on a voice vote that the minutes of the March 2, 2022, meeting be approved as distributed.

REPORTS

State Fire Marshal

Mr. Douglas D. Nelson, State Fire Marshal, Attorney General's office, presented the biennial report ([Appendix B](#)) of findings and recommendations for legislation to improve the effectiveness of the law on reduced ignition propensity standards for cigarettes pursuant to North Dakota Century Code Section 18-13-02(6).

Ms. Jennifer S. N. Clark, Senior Counsel and Code Revisor, Legislative Council, noted the Fire Marshal's proposed legislation could be accomplished without unconstitutional delegation of legislative authority by directing the Attorney General to adopt the most recent test method for measuring the ignition strength of cigarettes.

Diabetes and Prevention and Control

Ms. Brianna Monahan, Diabetes Prevention and Control Program Coordinator, State Department of Health, presented the biennial report (Appendices [C](#) and [D](#)) on the collaboration of the Department of Human Services, State Department of Health, Indian Affairs Commission, and Public Employees Retirement System to identify goals and benchmarks while also developing individual agency plans to reduce the incidence of diabetes in the state, improve diabetes care, and control complications associated with diabetes pursuant to Section 23-01-40. She noted:

- She will provide the committee with data regarding COVID-19 deaths as it relates to the Native American population in the state and pre-existing conditions.
- The federal funds used for the state's diabetes control and prevention plan have limitations on how the funds can be used, including as the use relates to partnering with tribal communities and federal dietary recommendations.

The committee discussed efforts being taken or that could be taken to address how diabetes disproportionately affects Native Americans.

State Comprehensive Stroke System

Ms. Christine Greff, Stroke and Cardiac Systems Coordinator, Division of Emergency Medical Systems, State Department of Health, presented ([Appendix E](#)) the biennial report on progress made toward recommendations provided under the plan for achieving continuous quality improvements in the quality of care provided under the state comprehensive stroke system for stroke response and treatment pursuant to Section 23-43-04.

Maternal Mortality Review Committee

Dr. Thomas F. Arnold, Chairman, Maternal Mortality Review Committee, presented the annual report ([Appendix F](#)) from the committee regarding the identification of patterns, trends, and policy issues related to maternal mortality pursuant to Section 23-51-08.

PRESCRIPTION DRUG STUDY

Ms. Mary Belcher, Deputy State Auditor, and Mr. David Dachs, Insurance Services Bureau Chief, Office of the Montana State Auditor, provided information ([Appendix G](#)) regarding recent Montana legislation addressing prescription drug costs, including regulation of pharmacy benefits managers (PBMs).

Ms. Belcher noted although Montana was able to implement the Pharmacy Benefit Manager Oversight Act without additional agency staff; in the future it may be necessary to contract with a third party to analyze data collected.

Mr. John Arnold, Deputy Commissioner, Insurance Department, noted:

- North Dakota's insurance department is half the size of Montana's.
- If the state decides to regulate PBMs, it should invest in doing a thorough job.
- Other state entities that would be well suited to regulate PBMs include the Board of Pharmacy and the Department of Health and Human Services.

Ms. Shauna Gardner, Director, State Policy, PhRMA, presented information ([Appendix H](#)) regarding prescription drug costs.

COMMUNITY HEALTH WORKER STUDY

Mr. Tim Wiedrich, Director, Emergency Medical Systems Division, State Department of Health, presented information ([Appendix I](#)) regarding the status of administrative rules for community paramedics. He noted paramedic and emergency medical technician education is primarily provided by institutions of higher education.

A committee member suggested Mr. Wiedrich contact the President of North Dakota State University to discuss the possible implementation of training for community paramedics.

PRESCRIPTION DRUG STUDY

Mr. Harvey Hanel, Medical Services and Pharmacy Director, Workforce Safety and Insurance, presented information ([Appendix J](#)) regarding the agency's perspective on a state-owned PBM. He noted Workforce Safety and Insurance has annual prescriptions of approximately 66,300.

Mr. Brendan Joyce, Administrator, Pharmacy Services, Department of Human Services, presented information ([Appendix K](#)) regarding the steps necessary for the state to become its own PBM. Additionally, he provided background information ([Appendix L](#)) regarding the PBM consortium created by Washington, Oregon, and Nevada.

The committee discussed whether the state has enough prescription volume to have its own PBM.

The committee requested a bill draft to provide for a state-owned PBM or state participation in a state consortium PBM.

Mr. Darrold Bertsch, Consultant, Medical Services, and Mr. Erik Elkins, Assistant Director, Medical Services, Department of Human Services, presented information ([Appendix M](#)) regarding Medicaid value-based purchasing.

Mr. Tim Blasl, President, North Dakota Hospital Association, presented information ([Appendix N](#)) regarding Medicaid value-based purchasing.

Chairman Weisz noted the tentative date for the next meeting likely will be Thursday, September 15, 2022, or another date in September.

No further business appearing, Chairman Weisz adjourned the meeting at 3:10 p.m.

Jennifer S. N. Clark
Senior Counsel and Code Revisor

Samantha E. Kramer
Senior Counsel and Assistant Code Revisor

ATTACH:14