21.0068.01000

Sixty-seventh
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1250

Introduced by

Representatives M. Nelson, Adams

Senator Mathern

A BILL for an Act to create and enact a new section to chapter 54-52.1 of the North Dakota Century Code, relating to public employee health insurance drug benefit coverage; to amend and reenact section 26.1-36.6-03 of the North Dakota Century Code, relating to self-insurance health plans; to require a report; to provide for application; to provide an expiration date; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 26.1-36.6-03 of the North Dakota Century Code is amended and reenacted as follows:

26.1-36.6-03. Self-insurance health plans - Requirements.

1. The following policy provisions apply to a self-insurance health plan or to the administrative services only or third-party administrator, and are subject to the jurisdiction of the commissioner: 26.1-36-03, 26.1-36-03.1, 26.1-36-05, 26.1-36-10, 26.1-36-12, 26.1-36-12.4, 26.1-36-12.6, 26.1-36-13, 26.1-36-14, 26.1-36-17, 26.1-36-18, 26.1-36-19, 26.1-36-23, 26.1-36-29, 26.1-36-37.1, 26.1-36-38, 26.1-36-39, 26.1-36-41, 26.1-36-44, and 26.1-36-46.
2. The following health benefit provisions applicable to a group accident and health insurance policy under chapter 26.1-36 apply to a self-insurance health plan and are subject to the jurisdiction of the commissioner: 26.1-36-06, 26.1-36-06.1, 26.1-36-07, 26.1-36-08, 26.1-36-08.1, 26.1-36-09, 26.1-36-09.1, 26.1-36-09.2, 26.1-36-09.3, 26.1-36-09.5, 26.1-36-09.6, 26.1-36-09.7, 26.1-36-09.8, 26.1-36-09.9, 26.1-36-09.10, 26.1-36-09.11, 26.1-36-09.12, 26.1-36-09.13, 26.1-36-09.14, 26.1-36-09.15, 26.1-36-11, 26.1-36-12.2, 26.1-36-20, 26.1-36-21, 26.1-36-22, 26.1-36-23.1, and 26.1-36-43. Section 2 of this Act applies to a self-insurance health plan and is subject to the jurisdiction of the commissioner.

SECTION 2. A new section to chapter 54-52.1 of the North Dakota Century Code is created and enacted as follows:

Coverage of imported prescription drugs.

Prescription drug benefits coverage provided under section 54-52.1-04, 54-52.1-04.1, or 54-52.1-04.2, must include coverage for prescription drugs imported from Canada in compliance with section 804 of the Federal Food, Drug, and Cosmetics Act [21 U.S.C. 384]. Coverage required under this section may allow for a copayment that does not exceed twenty-five dollars.

SECTION 3. APPLICATION. This Act applies to prescription drug benefits coverage that begins after June 30, 2021, and which does not extend past June 30, 2023.

SECTION 4. PUBLIC EMPLOYEES RETIREMENT SYSTEM - COVERAGE OF DRUGS IMPORTED FROM CANADA - REPORT. Pursuant to section 54-03-28, the public employees retirement system shall prepare and submit for introduction a bill to the sixty-eighth legislative assembly to repeal the expiration date for sections 1 and 2 of this Act and to extend the coverage of prescription drugs imported from Canada to apply to all group and individual health insurance policies. The public employees retirement system shall append to the bill a report regarding the effect of the prescription drug coverage requirement on the system's health insurance programs, information on the utilization and costs relating to the coverage, and a recommendation regarding whether the coverage should continue.

SECTION 5. EXPIRATION DATE. Sections 1 and 2 of this Act are effective through July 31, 2023, and after that date are ineffective.

SECTION 6. EMERGENCY. This Act is declared to be an emergency measure.