

HOUSE BILL NO. 1328

Introduced by

Representatives Rohr, Keiser, Mock, Strinden, Tveit

Senators Dever, Patten, K. Roers

1 A BILL for an Act to create and enact a new section to chapter 43-15 and section 54-52.1-04.18
2 of the North Dakota Century Code, relating to vitamin D screening and testing; to amend and
3 reenact section 26.1-36.6-03 of the North Dakota Century Code, relating to self-insurance
4 health plans; to provide for a report; to provide for application; to provide an expiration date; and
5 to declare an emergency.

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

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

9 **26.1-36.6-03. Self-insurance health plans - Requirements.**

- 10 1. The following policy provisions apply to a self-insurance health plan or to the
11 administrative services only or third-party administrator, and are subject to the
12 jurisdiction of the commissioner: 26.1-36-03, 26.1-36-03.1, 26.1-36-05, 26.1-36-10,
13 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,
14 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,
15 26.1-36-41, 26.1-36-44, and 26.1-36-46.
- 16 2. The following health benefit provisions applicable to a group accident and health
17 insurance policy under chapter 26.1-36 apply to a self-insurance health plan and are
18 subject to the jurisdiction of the commissioner: 26.1-36-06, 26.1-36-06.1, 26.1-36-07,
19 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,
20 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,
21 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,
22 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
23 26.1-36-43. Section 3 of this Act applies to a self-insurance health plan and is subject
24 to the jurisdiction of the commissioner.

1 **SECTION 2.** A new section to chapter 43-15 of the North Dakota Century Code is created
2 and enacted as follows:

3 **Vitamin D screening and testing.**

4 A pharmacist may screen and test for vitamin D deficiency.

5 **SECTION 3.** Section 54-52.1-04.18 of the North Dakota Century Code is created and
6 enacted as follows:

7 **54-52.1-04.18. Coverage of vitamin D screening and testing.**

8 The board shall provide medical benefits coverage under a contract for insurance, health
9 maintenance organization, or self-insurance plan for vitamin D deficiency screening and testing,
10 as deemed necessary by the pharmacist or health care provider.

11 **SECTION 4. APPLICATION.** This Act applies to medical benefits coverage that begins after
12 June 30, 2021, and which does not extend past June 30, 2023.

13 **SECTION 5. PUBLIC EMPLOYEES RETIREMENT SYSTEM - VITAMIN D SCREENING -**
14 **REPORT.** Pursuant to section 54-03-28, the public employees retirement system shall prepare
15 and submit for introduction a bill to the sixty-eighth legislative assembly to repeal the expiration
16 date for sections 1 and 3 of this Act and to extend the coverage of vitamin D testing and
17 screening to all group and individual health insurance policies. The public employees retirement
18 system shall append a report to the bill regarding the effect of the testing and screening
19 requirement on the system's health insurance programs, information on the utilization and costs
20 relating to the coverage, and a recommendation regarding whether the coverage should be
21 continued.

22 **SECTION 6. EXPIRATION DATE.** Sections 1 and 3 of this Act are effective through July 31,
23 2023, and after that date are ineffective.

24 **SECTION 7. EMERGENCY.** This Act is declared to be an emergency measure.