

HOUSE BILL NO. 1465

Introduced by

Representatives Westlind, Tveit, Weisz

1 A BILL for an Act to create and enact section 26.1-36-12.7 of the North Dakota Century Code,
2 relating to freedom of choice for health care services.

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

4 **SECTION 1.** Section 26.1-36-12.7 of the North Dakota Century Code is created and
5 enacted as follows:

6 **26.1-36-12.7. Freedom of choice for health care services.**

7 1. As used in this section:

8 a. "Health care provider" includes an individual licensed under chapter 43-05,
9 43-06, 43-12.1 as a registered nurse or as an advanced practice registered
10 nurse, 43-13, 43-15, 43-17, 43-26.1, 43-28, 43-32, 43-37, 43-40, 43-41, 43-42,
11 43-44, 43-45, 43-47, 43-58, or 43-60.

12 b. "Policy" means ~~an accident and~~ a health insurance policy, contract, or evidence of
13 coverage on a group, individual, blanket, franchise, or association basis.

14 2. An insurer may not deliver, issue, execute, or renew a policy if that policy:

15 ~~a. Denies a health care provider the right to participate as a participating provider~~
16 ~~for any policy on the same terms and conditions as are offered to any other~~
17 ~~provider of health care services under the policy; or~~

18 ~~b. Prevents an individual who is a party to or beneficiary of a policy from selecting a~~
19 ~~health care provider of the individual's choice to furnish the health care services~~
20 ~~offered under any policy, provided that the health care provider is a participating~~
21 ~~provider under the same terms and conditions of the policy as those offered to~~
22 ~~any other health care provider.~~ A health insurer, including the North Dakota
23 Medicaid program, may not obstruct patient choice by excluding a health care
24 provider licensed under the laws of this state from participating on the health

1 insurer's panel of providers if the provider is located within the geographic
2 coverage area of the health benefit plan and is willing and fully qualified to meet
3 the terms and conditions of participation, as established by the health insurer.