

Sixty-seventh
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2074

Introduced by

Industry, Business and Labor Committee

(At the request of the Insurance Commissioner)

1 A BILL for an Act to create and enact a new subsection to section 26.1-36.4-09 of the North
2 Dakota Century Code, relating to the treatment of health insurance utilization reports; to amend
3 and reenact subsection 1 of section 26.1-36.4-09 of the North Dakota Century Code, relating to
4 health insurance utilization reports; and to declare an emergency.

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

6 **SECTION 1. AMENDMENT.** Subsection 1 of section 26.1-36.4-09 of the North Dakota
7 Century Code is amended and reenacted as follows:

- 8 1. Once each calendar year, any employer with ~~fifty-one~~twenty-six or more eligible
9 employees or upon termination of health insurance coverage for any employer, the
10 employer is entitled to a report from the insurer or administrator of that employer's
11 employee health plan which includes a:
- 12 a. A monthly accounting for the most recent twenty-four-month period of the total
13 number of insured or covered employees and dependents by class of coverage,
14 the total premiums paid, and the total separate totals of the medical and
15 prescription drug benefits paid on behalf of the employer's health plan.
- 16 b. An accounting of high-dollar medical and prescription drug claims paid for
17 employees and dependents. For purposes of this subdivision, "high-dollar
18 medical and prescription drug claims" means the total amount of claims paid for
19 an employee or dependent during each twelve-month period of the most recent
20 twenty-four-month period equal to or exceeding twenty-five thousand dollars. The
21 accounting must also include the current status of coverage for any employees
22 and dependents with high-dollar claims.
- 23 c. A current census of employees and dependents covered under the employer's
24 health plan.

1 **SECTION 2.** A new subsection to section 26.1-36.4-09 of the North Dakota Century Code is
2 created and enacted as follows:

3 Any person obtaining a report under this section shall treat the data in compliance with
4 the Federal Health Insurance Portability and Accountability Act of 1996 [Pub. L.
5 104-191; 110 Stat. 1996; 29 U.S.C. 1181 et seq.].

6 **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.