

**FIRST ENGROSSMENT
with Senate Amendments**

**ENGROSSED HOUSE CONCURRENT
RESOLUTION NO. 3011**

Introduced by

Representative Weisz

Senator Lee

1 A concurrent resolution urging the Insurance Commissioner to facilitate a change in the
2 essential health benchmark plan for future Affordable Care Act health plans.

3 **WHEREAS**, the state has the opportunity to make changes in the essential health
4 benchmark plan for future plan years in accordance with federal requirements and through
5 coordination with federal contacts; and

6 **WHEREAS**, the Insurance Commissioner should add to the essential health benchmark
7 plan restricted cost-sharing for diabetes, providing a limited cost-sharing for a 30-day supply of
8 covered insulin drugs, not to exceed \$25, regardless of the quantity or type of insulin, and of
9 covered medical supplies for insulin dosing and administration, not to exceed \$25, regardless of
10 the quantity or manufacturer of supplies; and

11 **WHEREAS**, the Insurance Commissioner should add to the essential health benchmark
12 plan coverage for one hearing aid per hearing-impaired ear every 36 months or more often if
13 there is a significant change in the insured's hearing status as determined by the licensed
14 physician or audiologist; and

15 **WHEREAS**, the Insurance Commissioner should add to the essential health benchmark
16 plan coverage for dietary or nutritional screening, counseling, and therapy for obesity, diabetes-
17 related diagnosis, or a chronic illness or condition that could be managed through nutritional or
18 weight loss programs, up to 12 sessions every policy year, if prescribed by the insured's
19 physician; and

20 **WHEREAS**, the Insurance Commissioner should add to the essential health benchmark
21 plan coverage for diagnosis and treatment of periodontal disease in acute or chronic disease
22 state if recommended by a board-certified medical practitioner based on health-related impacts
23 or on further deterioration in disease state due to gum disease; and

24 **WHEREAS**, the Insurance Commissioner should add to the essential health benchmark
25 plan coverage for position emission tomography scans for an insured who has a prostate

1 cancer diagnosis, including an insured who is in remission or who is cured, which would include
2 at least two different types of position emission tomography scans upon initial diagnosis if
3 requested by a physician, and one position emission tomography scan every 6 months for the
4 life of the insured; and

5 **WHEREAS**, the Insurance Commissioner should add to the essential health benchmark
6 plan steps to address the opioid epidemic, including limiting the first fill of opioid prescriptions to
7 7 days, removing barriers for drugs used in the treatment of opioid use disorder or opioid
8 replacement drugs; and requiring coverage for an easy-to-use overdose antidote when
9 prescribing high-dose opioids;

10 **NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF**
11 **NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

12 That the Sixty-eighth Legislative Assembly urges the Insurance Commissioner to facilitate a
13 change in the essential health benchmark plan for future Affordable Care Act health plans; and

14 **BE IT FURTHER RESOLVED**, that the Secretary of State forward a copy of this resolution
15 to the Insurance Commissioner.