

**HOUSE BILL NO. 1248**

Introduced by

Representatives Weisz, Frelich, McLeod, M. Ruby

Senators Lee, Dever

1 A BILL for an Act to amend and reenact sections 26.1-36-09.12 and 54-35-02.4 of the North  
2 Dakota Century Code, relating to medical services related to suicide and the powers and duties  
3 of the employee benefits programs committee; and to repeal section 54-03-28 of the North  
4 Dakota Century Code, relating to the cost-benefit analysis requirement for health insurance  
5 mandated coverage of services.

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

7 **SECTION 1. AMENDMENT.** Section 26.1-36-09.12 of the North Dakota Century Code is  
8 amended and reenacted as follows:

9 **26.1-36-09.12. Medical services related to suicide.**

10 An insurance company, nonprofit health service corporation, or health maintenance  
11 organization may not deliver, issue, execute, or renew ~~any~~ hospital, surgical, medical, or major  
12 medical benefit policy on an individual, group, blanket, franchise, or association basis unless  
13 the policy, contract, or evidence of coverage provides benefits, of the same type offered under  
14 the policy or contract for illnesses, for health services to any individual covered under the policy  
15 or contract for injury or illness resulting from suicide, attempted suicide, or self-inflicted injury.  
16 ~~The medical benefits provided for in this section are exempt from section 54-03-28.~~

17 **SECTION 2. AMENDMENT.** Section 54-35-02.4 of the North Dakota Century Code is  
18 amended and reenacted as follows:

19 **54-35-02.4. Employee benefits programs committee - Powers and duties.**

20 1. During each interim, the employee benefits programs committee shall consider and  
21 report on the legislative proposals over which the committee takes jurisdiction and  
22 which fiscally impact the retirement programs of state employees or employees of any  
23 political subdivision, ~~and health and retiree health plans of state employees or~~  
24 ~~employees of any political subdivision.~~ A majority of the members of the committee

1 has sole authority to determine whether a legislative proposal affects a program. The  
2 committee shall make a thorough review of each proposal the committee takes under  
3 its jurisdiction, including an actuarial report. The committee shall take jurisdiction over  
4 a proposal that authorizes an automatic increase or other change in benefits beyond  
5 the ensuing biennium which would not require legislative approval. The committee  
6 shall include in the report of the committee a statement that the proposal would allow  
7 future changes without legislative involvement. The committee shall report the findings  
8 and recommendations of the committee, along with any necessary legislation, to the  
9 legislative management and to the legislative assembly.

- 10 2. To carry out the responsibilities of the committee, the committee, or the designee of  
11 the committee, may:
- 12 a. Enter contracts, including retainer agreements, with an actuary or actuarial firm  
13 for expert assistance and consultation. Each retirement, ~~insurance, or retiree-~~  
14 ~~insurance~~ program shall pay, from the program's retirement, ~~insurance, or retiree-~~  
15 ~~health benefits~~ fund, as appropriate, and without the need for a prior  
16 appropriation, the cost of an actuarial report required under this section which  
17 relates to that program.
  - 18 b. Call on personnel from state agencies or political subdivisions to furnish such  
19 information and render such assistance as the committee ~~from time to time~~ may  
20 request.
  - 21 c. Establish rules for the operation of the committee, including the submission and  
22 review of proposals and the establishing of standards for actuarial reports.
- 23 3. The committee may solicit draft measures and proposals from interested persons  
24 during the interim between legislative sessions, and also may study measures and  
25 proposals referred to the committee by the legislative assembly or the legislative  
26 management.
- 27 4. A copy of the committee's report concerning a legislative measure, if that measure is  
28 introduced for consideration by a legislative assembly, must be appended to the copy  
29 of that measure.
- 30 5. If a legislative measure affecting a public employees retirement program, ~~public-~~  
31 ~~employees health insurance program, or public employee retiree health insurance-~~

1           program is introduced in either house without a report from the committee, the  
2           chairman and vice chairman of the employee benefits programs committee shall  
3           request an actuarial report from the program affected and shall provide the report to  
4           the standing committee to which the measure is referred. During the legislative  
5           session, the employee benefits programs committee chairman and vice chairman,  
6           working together, have sole authority to determine whether a legislative measure or  
7           amendment affects a program under this subsection and subsection 6.

8           6. During a legislative session, if an amendment is made to a legislative measure which  
9           fiscally impacts a public employees retirement program, ~~public employees health~~  
10          ~~insurance program, or public employee retiree health insurance program;~~ the  
11          employee benefits programs committee chairman and vice chairman shall request  
12          from the affected program an actuarial report on the amendment and shall provide the  
13          report to the standing committee to which the bill is referred.

14          7. Legislation enacted in contravention of this section is invalid, and any benefits  
15          provided under the legislation must be reduced to the level current before enactment  
16          of the legislation.

17          **SECTION 3. REPEAL.** Section 54-03-28 of the North Dakota Century Code is repealed.