

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1452

Introduced by

Representatives Nelson, Mitskog

1 A BILL for an Act to create and enact a new section to chapter 54-52.1 of the North Dakota
2 Century Code, relating to minimum standards for coverage of antiobesity medication; to provide
3 for a report to the legislative assembly; to provide for application; and to provide an expiration
4 date.

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

6 **SECTION 1.** A new section to chapter 54-52.1 of the North Dakota Century Code is created
7 and enacted as follows:

8 **Health insurance benefits coverage - Prescription drug coverage - Antiobesity** 9 **medication.**

- 10 1. The prescription drug component of the health insurance benefits coverage must
11 include coverage of at least two antiobesity medications, approved by the United
12 States food and drug administration with an indication for chronic weight management
13 in a patient with obesity, for an enrollee with a body mass index of equal to or greater
14 than thirty-five kilograms per square meter. The coverage must include maintenance
15 doses of the antiobesity medication regardless of the enrollee's body mass index.
- 16 ~~2. The coverage criteria for antiobesity medication may not be more restrictive than the~~
17 ~~United States food and drug administration approved indications.~~
- 18 ~~3.~~ The coverage provided under this section may be subject to cost-sharing
19 requirements, including a deductible, copayment, coinsurance, or annual or maximum
20 benefit provision, provided the requirements are consistent with requirements

1 applicable to other pharmaceutical coverage under the health insurance benefits
2 coverage.

3 4.3. The insurer shall provide notice to policyholders regarding the coverage required by
4 this section. The notice must be:

5 a. In writing;

6 b. Prominently positioned in any literature or correspondence; and

7 c. Provided to policyholders when annual information is made available, or in any
8 other mailing to policyholders.

9 **SECTION 2. PUBLIC EMPLOYEES RETIREMENT SYSTEM - PRESCRIPTION DRUG**
10 **COVERAGE - ANTI-OBESITY MEDICATION - REPORT TO LEGISLATIVE ASSEMBLY.**

11 Pursuant to section 54-03-28, the public employees retirement system shall prepare and submit
12 for introduction a bill to the seventieth legislative assembly to repeal the expiration date for this
13 Act and to extend the coverage of prescription drug benefits for antiobesity medication to all
14 group and individual health insurance policies. The public employees retirement system shall
15 append a report to the bill regarding the effect of the prescription drug benefits for antiobesity
16 medication requirement on the system's health insurance programs, information on the
17 utilization and costs relating to the coverage, and a recommendation regarding whether the
18 coverage should be continued.

19 **SECTION 3. APPLICATION.** This Act applies to health benefits coverage that begins after
20 June 30, 2025, and which does not extend past June 30, 2027.

21 **SECTION 4. EXPIRATION DATE.** This Act is effective through June 30, 2027, and after that
22 date is ineffective.