

CHAPTER 367

HOUSE BILL NO. 1391
(Representatives J. DeMers, Myrdal, Kelly)
(Senators Heinrich, Nalewaja, Mushik)

MAMMOGRAM INSURANCE COVERAGE

AN ACT to create and enact a new section to chapter 26.1-36 and a new section to chapter 54-52.1 of the North Dakota Century Code, relating to health insurance coverage for mammogram examinations.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 26.1-36 of the 1987 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

Health insurance policy and health service contract - Mammogram examination coverage.

1. An insurance company, nonprofit health service corporation, or health maintenance organization may not deliver, issue, execute, or renew any health insurance policy, health service contract, or evidence of coverage on an individual, group, blanket, franchise, or association basis unless the policy, contract, or evidence of coverage provides benefits, of the same type offered under the policy or contract for illnesses, for health services to any person covered under the policy or contract for:
 - a. One baseline mammogram examination for each woman who is at least thirty-five but less than forty years of age.
 - b. One mammogram examination every two years or more frequently if ordered by a physician for women who are at least forty but less than fifty years of age.
 - c. One mammogram examination every year for women age fifty and over.
2. This section does not apply to individually guaranteed renewable supplemental specified disease, long-term care, or other limited benefit policies.

SECTION 2. A new section to chapter 54-52.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

Insurance to cover mammogram examinations. The board shall provide medical benefits coverage under either a contract for insurance pursuant to section 54-52.1-04 or under a self-insurance plan pursuant to section 54-52.1-04.2 for:

1. One baseline mammogram examination for each woman who is at least thirty-five but less than forty years of age.
2. One mammogram examination every two years or more frequently if ordered by a physician for women who are at least forty but less than fifty years of age.
3. One mammogram examination every year for women age fifty and over.

Approved March 22, 1989

Filed March 23, 1989

| | | |
|--------------|--|--------|
| 01/19 House | COMMITTEE HEARING 01/27 10:30 | |
| 02/03 House | Reported back, do pass, placed on calendar y 011 n 001 | HJ 515 |
| 02/08 House | Second reading, passed, yeas 091 nays 003 | HJ 597 |
| 02/10 Senate | Received from House | SJ 531 |
| | Introduced, first reading, referred NATURAL RESOURCES | SJ 560 |
| 02/23 Senate | COMMITTEE HEARING 03/03 9:30 | |
| 03/17 Senate | Reported back amended, amendment poc y 006 n 000 | SJ1198 |
| 03/20 Senate | Amendment adopted, placed on calendar | SJ1209 |
| 03/22 Senate | Second reading, passed as amended, yeas 045 nays 000 | SJ1304 |
| 03/27 House | Returned to House (12) | HJ1636 |
| 04/03 House | Concurred | HJ1837 |
| | Second reading, passed as amended, yeas 096 nays 010 | HJ1837 |
| | Enrolled | HJ1901 |
| 04/05 House | Signed by Speaker | HJ1938 |
| 04/06 Senate | Signed by President | SJ1637 |
| 04/07 House | Sent to Governor | HJ1987 |
| 04/12 House | Signed by Governor 0410 | HJ2177 |
| 04/13 House | Filed with Secretary of State 0411 | |

HB 1388

Rep. Shockman, Marks

A BILL for an Act to amend and reenact sections 61-04.1-08, 61-04.1-12, 61-04.1-33, 61-04.1-34, 61-04.1-35, and 61-04.1-38 of the North Dakota Century Code, relating to the powers and duties of the state atmospheric resource board, license and permit exemptions, bid requirements, performance and bid bond requirements, and the receipt and expenditure of funds by the board; to repeal sections 61-04.1-01, 61-04.1-02, 61-04.1-09, 61-04.1-10, 61-04.1-20, 61-04.1-21, 61-04.1-22, and 61-04.1-39 of the North Dakota Century Code, relating to state sovereignty over moisture, policy and purpose, research and development programs, creation of operating districts and district operations advisory committees, suspension of operations, and county appropriations.

| | | |
|-------------|--|--------|
| 01/16 House | Introduced, first reading, referred NATURAL RESOURCES | HJ 196 |
| 01/25 House | Request return from committee | HJ 341 |
| | Rereferred to AGRICULTURE | HJ 341 |
| 02/02 House | COMMITTEE HEARING 02/09 9:00 | |
| 02/10 House | Reported back, do not pass, placed on calendar y 008 n 006 | HJ 676 |
| 02/17 House | Second reading, failed to pass, yeas 021 nays 083 | HJ 887 |

HB 1389

Rep. Myrdal, Goetz

A BILL for an Act to amend and reenact section 15-47-06 of the North Dakota Century Code, relating to recounts in school district elections.

| | | |
|--------------|--|--------|
| 01/16 House | Introduced, first reading, referred EDUCATION | HJ 197 |
| 01/18 House | COMMITTEE HEARING 01/23 9:30 | |
| 01/24 House | Reported back, do pass, placed on calendar y 015 n 000 | HJ 337 |
| 01/25 House | Second reading, passed, yeas 104 nays 000 | HJ 349 |
| 01/27 Senate | Received from House | SJ 321 |
| | Introduced, first reading, referred EDUCATION | SJ 342 |
| 02/16 Senate | COMMITTEE HEARING 02/22 10:00 | |
| 03/10 Senate | Reported back amended, amendment poc y 008 n 000 | SJ1078 |
| 03/13 Senate | Amendment adopted, placed on calendar | SJ1089 |
| 03/15 Senate | Second reading, passed as amended, yeas 051 nays 000 | SJ1140 |
| 03/17 House | Returned to House (12) | HJ1499 |
| 04/03 House | Concurred | HJ1837 |
| | Second reading, passed as amended, yeas 106 nays 000 | HJ1837 |
| | Enrolled | HJ1901 |
| 04/05 House | Signed by Speaker | HJ1938 |
| 04/06 Senate | Signed by President | SJ1637 |
| 04/07 House | Sent to Governor | HJ1987 |
| 04/12 House | Signed by Governor 0410 | HJ2177 |
| 05/03 House | Filed with Secretary of State 0411 | |

HB 1390

Rep. Halmrast
Sen. Satrom

A BILL for an Act to create and enact a new section to chapter 15-38.2, relating to documentation of material in teachers' personnel files.

| | | |
|--------------|--|--------|
| 01/16 House | Introduced, first reading, referred EDUCATION | HJ 197 |
| 01/18 House | COMMITTEE HEARING 01/24 9:00 | |
| 02/02 House | Reported back amended, amendment poc y 012 n 004 | HJ 484 |
| 02/03 House | Amendment adopted, placed on calendar | HJ 492 |
| 02/06 House | Second reading, passed as amended, yeas 069 nays 036 | HJ 531 |
| 02/08 Senate | Received from House | SJ 489 |
| | Introduced, first reading, referred EDUCATION | SJ 506 |
| 03/03 Senate | COMMITTEE HEARING 03/06 9:45 | |
| 03/15 Senate | Reported back amended, do not pass, y 006 n 002 | SJ1143 |
| 03/17 Senate | Amendment adopted, placed on calendar | SJ1175 |
| 03/20 Senate | Second reading, failed to pass, yeas 006 nays 043 | SJ1211 |

HB 1391

Rep. J.DeMers, Myrdal, Kelly
Sen. Heinrich, Nalewaja, Mushik

A BILL for an Act to create and enact a new section to chapter 26.1-36 and a new section to chapter 54-52.1 of the North Dakota Century Code, relating to health insurance coverage for mammogram examinations.

| | | |
|-------------|--|--------|
| 01/16 House | Introduced, first reading, referred INDUSTRY, BUSINESS AND LABOR | HJ 197 |
|-------------|--|--------|

| | | | |
|-------|--------|--|--------|
| 01/25 | House | COMMITTEE HEARING 02/01 10:15 | |
| 02/03 | House | Reported back amended, amendment poc y 015 n 000 | HJ 515 |
| 02/06 | House | Amendment adopted, placed on calendar | HJ 525 |
| 02/07 | House | Second reading, passed as amended, yeas 103 nays 002 | HJ 558 |
| 02/09 | Senate | Received from House | SJ 507 |
| | | Introduced, first reading, referred INDUSTRY, BUSINESS AND LABOR | SJ 528 |
| 03/01 | Senate | Request return from committee | SJ 934 |
| | | Rereferred to STATE AND FEDERAL GOVERNMENT | SJ 934 |
| 03/02 | Senate | COMMITTEE HEARING 03/07 2:45 | |
| 03/08 | Senate | Reported back, do pass, placed on calendar y 006 n 000 | SJ1026 |
| 03/10 | Senate | Second reading, passed, yeas 051 nays 000 | SJ1058 |
| 03/14 | House | Returned to House | HJ1413 |
| | | Enrolled | HJ1452 |
| 03/15 | House | Signed by Speaker | HJ1453 |
| 03/16 | Senate | Signed by President | SJ1150 |
| 03/20 | House | Sent to Governor | HJ1515 |
| 03/23 | House | Signed by Governor 0322 | HJ1611 |
| 03/29 | House | Filed with Secretary of State 0323 | |

HB 1392

Rep. Urlacher, Goetz, Wald
Sen. Krauter, Maixner

A BILL for an Act to create a new section to chapter 61-24.3 of the North Dakota Century Code, relating to the distribution of water through the southwest pipeline project.

| | | | |
|-------|--------|--|--------|
| 01/16 | House | Introduced, first reading, referred NATURAL RESOURCES | HJ 197 |
| 01/19 | House | COMMITTEE HEARING 01/26 11:00 | |
| 01/27 | House | Reported back, do pass, placed on calendar y 013 n 000 | HJ 392 |
| 01/31 | House | Second reading, passed, yeas 105 nays 000 | HJ 425 |
| 02/02 | Senate | Received from House | SJ 397 |
| | | Introduced, first reading, referred NATURAL RESOURCES | SJ 412 |
| 02/13 | Senate | Committee hearing 03/02 10:30 | |
| 03/06 | Senate | Reported back, do pass, placed on calendar y 006 n 000 | SJ1004 |
| 03/09 | Senate | Second reading, passed, yeas 050 nays 000 | SJ1040 |
| 03/13 | House | Returned to House | HJ1392 |
| | | Enrolled | HJ1411 |
| 03/15 | House | Signed by Speaker | HJ1433 |
| 03/16 | Senate | Signed by President | SJ1151 |
| 03/20 | House | Sent to Governor | HJ1515 |
| 03/23 | House | Signed by Governor 0321 | HJ1611 |
| 03/29 | House | Filed with Secretary of State 0323 | |

HB 1393

Rep. Knell, Gunsch
Sen. Keller

A BILL for an Act to amend and reenact section 11-15-08 of the North Dakota Century Code, relating to commissions collected by sheriff in certain proceedings.

| | | | |
|-------|--------|--|--------|
| 01/16 | House | Introduced, first reading, referred JUDICIARY | HJ 197 |
| 01/25 | House | COMMITTEE HEARING 01/31 10:30 | |
| 02/01 | House | Reported back amended, amendment poc y 014 n 000 | HJ 464 |
| 02/02 | House | Amendment adopted, placed on calendar | HJ 470 |
| 02/03 | House | Second reading, passed as amended, yeas 103 nays 000 | HJ 496 |
| 02/07 | Senate | Received from House | SJ 465 |
| | | Introduced, first reading, referred JUDICIARY | SJ 486 |
| 02/23 | Senate | COMMITTEE HEARING 03/01 3:30 | |
| 03/02 | Senate | Reported back, do pass, placed on calendar y 005 n 000 | SJ 961 |
| 03/06 | Senate | Second reading, passed, yeas 051 nays 000 | SJ1001 |
| 03/08 | House | Returned to House | HJ1307 |
| | | Enrolled | HJ1337 |
| 03/10 | House | Signed by Speaker | HJ1381 |
| 03/13 | Senate | Signed by President | SJ1084 |
| 03/14 | House | Sent to Governor | HJ1411 |
| 03/15 | House | Signed by Governor 0314 | HJ1433 |
| 03/16 | House | Filed with Secretary of State 0315 | |

HB 1394

Rep. Sorensen

A BILL for an Act to create and enact a new section to chapter 40-01 and a new subsection to section 40-05-01 of the North Dakota Century Code, relating to an organization of city governments.

| | | | |
|-------|--------|--|--------|
| 01/16 | House | Introduced, first reading, referred POLITICAL SUBDIVISIONS | HJ 197 |
| 01/19 | House | COMMITTEE HEARING 01/27 10:45 | |
| 02/03 | House | Reported back, do pass, placed on calendar y 013 n 000 | HJ 515 |
| 02/08 | House | Second reading, passed, yeas 095 nays 000 | HJ 597 |
| 02/10 | Senate | Received from House | SJ 531 |
| | | Introduced, first reading, referred POLITICAL SUBDIVISIONS | SJ 560 |
| 02/16 | Senate | COMMITTEE HEARING 02/23 10:30 | |
| 03/01 | Senate | Reported back, do pass, placed on calendar y 005 n 000 | SJ 939 |
| 03/03 | Senate | Second reading, passed, yeas 048 nays 000 | SJ 981 |
| 03/07 | House | Returned to House | HJ1297 |
| | | Enrolled | HJ1307 |
| 03/09 | House | Signed by Speaker | HJ1338 |
| 03/10 | Senate | Signed by President | SJ1053 |
| 03/13 | House | Sent to Governor | HJ1389 |
| 03/15 | House | Signed by Governor 0314 | HJ1433 |
| 03/16 | House | Filed with Secretary of State 0315 | |

HB 1395

Rep. Tollefson, Wald

1989 HOUSE INDUSTRY, BUSINESS AND LABOR

HB 1391

1989 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1391

House Committee on Industry, Business & Labor

Subcommittee on _____

Conference Committee _____

Identify or
check where
appropriate

Hearing Date 2-1-89

Tape Number 3 /Side A X Meter # 2312
Side B _____

Committee clerk signature *Maisha Smith*

Minutes:

HB 1289 Relating to reimbursement of erroneous overdraft service charges.

The Industry, Business and Labor Committee met at 10:15 in the Peace Garden Room with 17 members present and none absent.

Proponents

Rep. Judy DeMers, District 17 & 18, Grand Forks: Presented prepared testimony. See copy attached. Supports amendments by Tom Smith except for the Medicare supplement. This is important.

Rep. Rosemarie Myrdal, District 11: Am interested in the advancements of preventive medicine that are being developed and this a kind of health care cost containment measure. Encourages women to use it and it emphasizes the importance of using this kind of diagnostic tool to avoid advanced cases of cancer.

Michael Unhjem, Blue Cross and Blue Shield: We oppose any sort of mandate but we instituted the identical benefit schedule that you see in this legislation in January, 1987. We are pleased with it and for that reason we have no opposition to the bill.

Rep. Tish Kelly, District 21: Is the co-sponsor of the bill and glad that we have the backing of Blue Cross and Blue Shield. Could be cost saving measure.

Opponents

Tom Smith, Health Insurance Association of America: We support the concept but that decision should be left to individual company. This bill addresses all health insurance policies.

(Tom Smith testimony continued)

If full range then this type of coverage should be under these policies. There are specialty contracts that may offer cancer only coverage and specified diseases. Presented amendments. See copy attached.

Earl Pomeroy, Commissioner of Insurance: Is for the bill but opposed to the amendments of Tom Smith's with regard to the limited benefit policy. People obtain coverage over and above their major medical coverage for this particular condition. It doesn't seem right to write a cancer policy and cover mammograms. This bill is cost effective and should not increase premiums and good to get early detection.

Hearing closed.

COMMITTEE ACTION

2-1-89

HB 1391

Tape 4 Side A

Rep. Dorso moved to accept the amendments of Tom Smith but to take out Medicare Supplement, seconded by Rep. Lang. The motion carried on a vote of 15 ayes, 0 nays, and 2 absent. Rep. Oban moved a DO PASS AS AMENDED, seconded by Rep. Gerl. The motion carried on a vote of 15 ayes, 0 nays and 2 absent. Rep. Oban will carry the bill on the floor.

COMMITTEE CLERK
MARSHA SMITH

(Return in triplicate)

FISCAL NOTE

13 1988

Bill/Resolution No.: HB 1391 Amendment to: _____

Requested by: Legislative Council Date of Receipt: 1/18/89

Please estimate the fiscal impact of the above measure for:

State general or special funds Counties Cities

In the following space note the fiscal effect in dollars of this measure:

Narrative:

The bill requires that insurance plans cover certain mammogram examinations. This benefit will be included in the state's group health insurance plan and its cost is reflected in the premiums included in state agency budgets.

State Fiscal Effect:

| <u>1989-90</u> | | <u>1990-91</u> | | <u>Biennium Total</u> | |
|---------------------|----------------------|---------------------|----------------------|-----------------------|----------------------|
| <u>General Fund</u> | <u>Special Funds</u> | <u>General Fund</u> | <u>Special Funds</u> | <u>General Fund</u> | <u>Special Funds</u> |
| -0- | -0- | -0- | -0- | -0- | -0- |

County and City Fiscal Effect:

| <u>1989-90</u> | | <u>1990-91</u> | | <u>Biennium Total</u> | |
|-----------------|---------------|-----------------|---------------|-----------------------|---------------|
| <u>Counties</u> | <u>Cities</u> | <u>Counties</u> | <u>Cities</u> | <u>Counties</u> | <u>Cities</u> |
| | | | | | |

If additional space is needed, attach a supplemental sheet.

Signed *Alan Person*

Typed Name Alan Person

Date Prepared: 1/18/89

Department Public Emp. Ret. Sys.

1989 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION No. 401391

House Committee on INDUSTRY, BUSINESS & LABOR

Subcommittee on _____

Identify or
check where
appropriate

Conference Committee _____

Date of Hearing 2-1-89

Date of Action 2-1-89

Action Taken Amendments of Judiciary except medical case

Motion Made By Rep. Dorso

Seconded By Rep. Lang

| Representatives | Yes | No | Representatives | Yes | No |
|--------------------------|-------------------------------------|-------------------------------------|---------------------|-------------------------------------|--------------------------|
| <u>Whalen, Chairman</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Tokach</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <u>Dorso, Vice Chrm.</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Tollefson</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <u>Enget</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Vander Vorst</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <u>Frey</u> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| <u>Gerhardt</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | | |
| <u>Gerl</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | | |
| <u>Haugland</u> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | | | |
| <u>Lang</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | | |
| <u>Larson</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | | |
| <u>Oban</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | | |
| <u>Shide</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | | |
| <u>Skjerven</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | | |
| <u>Soukup</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | | |
| <u>Starke</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | | |
| Total | <u>15</u> | <u>0</u> | | | |
| | (Yes) | (No) | | | |

Absent 2

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

1989 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION No. HO 1391

House Committee on INDUSTRY, BUSINESS & LABOR

Subcommittee on _____

Identify or check where appropriate

Conference Committee _____

Date of Hearing 2-1-89 Date of Action 2-1-89

Action Taken Do Pass As Amended

Motion Made By Rep. Oban Seconded By Rep. Gerl

| Representatives | Yes | No | Representatives | Yes | No |
|--------------------------|-------------------------------------|---------------------------------------|---------------------|-------------------------------------|--------------------------|
| <u>Whalen, Chairman</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Tokach</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <u>Dorso, Vice Chrm.</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Tollefson</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <u>Enget</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Vander Vorst</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <u>Frey</u> | <input type="checkbox"/> | <input checked="" type="checkbox"/> A | | | |
| <u>Gerhardt</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | | |
| <u>Gerl</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | | |
| <u>Haugland</u> | <input type="checkbox"/> | <input checked="" type="checkbox"/> A | | | |
| <u>Lang</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | | |
| <u>Larson</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | | |
| <u>Oban</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | | |
| <u>Shide</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | | |
| <u>Skjerven</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | | |
| <u>Soukup</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | | |
| <u>Starke</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | | | |

Total 15 0
 (Yes) (No)

Absent 2

Floor Assignment Rep. Oban

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

13658

DATE: 2 / 1 / 89

CARRIER: Rep. Obar

(MRXXRESIDENT/MR. SPEAKER): Your Committee on IBL
to which was (~~was~~) referred HB 1391 has had the same under consideration and
recommends by a vote of 15 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING
that the same

- (DO PASS) (DO NOT PASS)
(and BE PLACED ON THE CONSENT CALENDAR)
- BE PLACED ON THE (CONSENT) CALENDAR
(WITHOUT RECOMMENDATION)
- BE AMENDED AS FOLLOWS and when so amended, recommends the same
(DO PASS/DO NOT PASS):
- and be rereferred to the Committee on _____

- AMENDMENT: (see attached) _____
(LC NUMBER)
- (title change and emergency clause added)
- (statement of purpose of amendment)

(SEN./REP.) Joe Malon Chairman
Rep. Joe Malon

HD1391 was placed on the 6th order of business on the calendar
for the succeeding legislative day.

_____ was rereferred to the Committee on _____

BEST COPY AVAILABLE

QNN
2/2/84

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1391

Page 1, line 9, after the period insert "1."

Page 1, line 17, replace "1." with "a."

Page 1, line 19, replace "2." with "b."

Page 1, line 22, replace "3." with "c."

Page 1, after line 22, insert:

"2. This section does not apply to individually guaranteed renewable supplemental specified disease, long-term care, or other limited benefit policies."

Re-number accordingly

1989 SENATE STATE AND FEDERAL GOVERNMENT

HB 1391

1989 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1391

Senate Committee on State and Federal Government

Subcommittee on _____

Identify or
check where
appropriate

Conference Committee _____

Hearing Date 03-07-89

Tape Number 2 /Side A X
Side B _____

Meter # 890

Committee clerk signature _____

Minutes: Chairman D. Meyer opened hearing on HB 1391 and told the committee that Blue Cross/ Blue Shield of ND are in support of the bill. Rep. Judy De Mers testified in favor of the bill. See attached. Sen. Donna Nalewaja, District 45, testified in favor of hte bill. She said with passage of this bill the legislature would be encouraging women of this age bracket to have the exam done. The bill would definitely help to pay costs when the exam is recommended each year. Gene Sandwick, with the NDPEA, stated that they are in favor of the bill. They understand that this is to become available and feels it is an important tool in early detection. In response to a question raised by the committee, the answer was that payment would still be subject to teh deductible of an insurance company depending on what that person's policy stated. Sen. Lodoen moved a DO PASS and the motion was seconded by Sen. Axtman. Upon roll call the vote was 6 to 0 with 1 absent and not voting. Sen. Lodoen will carry the bill.

1989 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION No. HB 1341

Senate Committee on State & Federal Government

Subcommittee on _____

Conference Committee _____

Identify or
check where
appropriate

Date of Hearing 3-7-89

Date of Action 3-7-89

Action Taken Do Pass

Motion Made By Sen. Lodoen

Seconded By Sen. Axtman

| Senators | Yes | No | Senators | Yes | No |
|--------------------------|----------|-------|---------------------------|----------|-------|
| <u>Meyer, Dean J.</u> | <u>X</u> | _____ | <u>Lodoen, Clayton A.</u> | <u>X</u> | _____ |
| <u>Kinnoin, Meyer J.</u> | <u>X</u> | _____ | <u>David, Ray</u> | <u>X</u> | _____ |
| <u>Meyer, Walter</u> | _____ | _____ | <u>Vosper, F. Kent</u> | <u>X</u> | _____ |
| <u>Axtman, Ben</u> | <u>X</u> | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |

Total 6 0
(Yes) (No)

Absent 1

Floor Assignment Sen. Lodoen

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

DATE: 03/07/89

CARRIER: Sen. Lodoen

MR. PRESIDENT ~~(MR. SPEAKER)~~: Your Committee on State & Federal Government
Engrossed
to which was (re)referred HB 1391 has had the same under consideration and
recommends by a vote of 6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING
that the same

- (DO PASS) ~~(DO NOT PASS)~~
~~(XXX BE PLACED ON THE CONSENT CALENDAR)~~
- BE PLACED ON THE (CONSENT) CALENDAR
(WITHOUT RECOMMENDATION)
- BE AMENDED AS FOLLOWS and when so amended, recommends the same
(DO PASS/DO NOT PASS):
- and be rereferred to the Committee on _____

- AMENDMENT: (see attached) _____
(LC NUMBER)
- (title change and emergency clause added)
- (statement of purpose of amendment)

(SEN./REP.) Dean Meyer, Chairman
Dean Meyer

 _____ was placed on the _____ order of business on the calendar
for the succeeding legislative day.

 _____ was rereferred to the Committee on _____

1989 TESTIMONY

HB 1391

TESTIMONY - HOUSE BILL 1391

PRESENTED TO THE SENATE STATE AND FEDERAL GOVERNMENT COMMITTEE

BY REPRESENTATIVE JUDY L. DEMERS

MARCH 7, 1989

CHAIRMAN MEYERS AND MEMBERS OF THE SENATE COMMITTEE ON STATE AND FEDERAL GOVERNMENT. FOR THE RECORD, I AM JUDY DEMERS, STATE REPRESENTATIVE FROM DISTRICT 17-18, CONSISTING OF PART OF GRAND FORKS AND THE GRAND FORKS AIR FORCE BASE. I APPEAR BEFORE YOU THIS MORNING AS THE PRIME SPONSOR OF HOUSE BILL 1391.

HOUSE BILL 1391 MANDATES HEALTH INSURANCE COVERAGE FOR MAMMOGRAMS BASED ON THE AMERICAN CANCER SOCIETY RECOMMENDATIONS OF:

- A BASELINE MAMMOGRAMS EXAM FOR WOMEN 35-40;
- AN EXAM EVERY OTHER YEAR, DEPENDING ON CANCER RISK FOR WOMEN 40-50 (FAMILY HISTORY, ETC.)
- A MAMMOGRAM EXAM EVERY YEAR FOR WOMEN AGE 50 AND OVER.

SECTION 1 OF THE BILL MANDATES COVERAGE BY ALL OF THE USUAL INSURERS, WHETHER AN INSURANCE COMPANY, NONPROFIT HEALTH SERVICE CORPORATION, OR A HEALTH MAINTENANCE ORGANIZATION. SECTION 2 AMENDS THE SECTION OF NDCC WHICH DEALS WITH THE NORTH DAKOTA PUBLIC EMPLOYEES SYSTEM SELF-INSURANCE PLAN.

AS OF JANUARY 1, 1987, BLUE CROSS OF NORTH DAKOTA TOOK A PROGRESSIVE STEP IN BEGINNING COVERAGE FOR MAMMOGRAPHY SCREENING. PRIOR TO THAT TIME, BLUE CROSS ONLY WOULD PAY FOR THIS EXAM IF THE PERSONAL PHYSICIAN SUSPECTED A LUMP OR CANCER. BLUE CROSS/BLEU SHIELD IS PLEASED WITH THIS SERVICE AND I AM HOPEFUL THEY WILL TESTIFY IN FAVOR OF HOUSE BILL 1391. ON THE OTHER HAND, THE NDPERS SELF-INSURANCE PLAN DOES NOT COVER MAMMOGRAMS. THEY, HOWEVER, INDICATED PLANS TO ME TO PROVIDE THIS COVERAGE IN THE FUTURE.

AS OF OCTOBER 14, 1988, 13 STATES HAVE MANDATED COVERAGE OF MAMMOGRAPHY SCREENING (ARIZONA, CALIFORNIA, CONNECTICUT, FLORIDA, KANSAS, MINNESOTA, OKLAHOMA, NEW HAMPSHIRE, NEW YORK, RHODE ISLAND,

TEXAS, MARYLAND, AND MASSACHUSETTS). MAMMOGRAPHY IS A FAIRLY SIMPLE, PAINLESS, X-RAY OF THE BREAST WHICH HAS THE CAPABILITY OF EARLY DETECTION OF BREAST CANCER, ONE OF THE LEADING CAUSES OF DEATH AMONG WOMEN. AT THE GRAND FORKS CLINIC, A MAMMOGRAM SCREENING ALONG WITH AN EDUCATIONAL PROGRAM ON BREAST SELF EXAMINATION COSTS \$65 (THIS IS NOT EXPENSIVE IN A RELATIVE SENSE).

IT IS A FACT THAT ONE IN TEN WOMEN WILL DEVELOP BREAST CANCER AT SOME TIME IN THEIR LIVES. THE AMERICAN CANCER SOCIETY SAYS WOMEN WHOSE BREAST CANCERS ARE DETECTED EARLY HAVE A FIVE-YEAR SURVIVAL RATE OF 90% OR BETTER. THOSE WITH ADVANCED CASES HAVE A 60% SURVIVAL RATE. IF A LUMP IS DETECTED EARLY, THE ENTIRE BREAST OFTEN DOES NOT HAVE TO BE REMOVED. DETECTING CANCER EARLY, FROM A PRACTICAL STANDPOINT, COSTS THE INSURANCE COMPANY MUCH LESS THAN THE \$60,000 TO \$70,000 TO TREAT THE CANCER AT A LATER STAGE.

HOUSE BILL 1391 JUST MAKES GOOD SENSE ALL AROUND. IT SHOULD RESULT IN COST SAVINGS, IT IS GOOD PREVENTIVE MEDICINE, IT WILL SAVE MANY WOMEN FROM MUTILATING SURGERY, AND ABOVE ALL, WITH A MAMMOGRAM, A SMALL LUMP IS GOING TO BE FOUND, AND THAT WOMAN IS GOING TO BE ALIVE FIVE YEARS FROM NOW.

THANK YOU. PLEASE GIVE HOUSE BILL 1391 YOUR FAVORABLE CONSIDERATION.

REPRESENTATIVE JUDY DEMERS

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1391

Page 1, line 22, after the second "." insert "This section shall not apply to individually guaranteed renewable supplemental specified disease, Medicare supplement, long term care or other limited benefit policies."

Renumber accordingly

To: House Industry, Business, and Labor Committee
From: Elise M. Donnelley
Re: House Bill 1391
Date: February 1, 1989

Chairman Whalen and Members of the Committee

This is to support the passage of HB 1391 on behalf of the Aging Network of North Dakota. This bill proposes that health insurance pay for the type of preventive medicine that should help older women by providing early diagnosis and, therefore, treatment of breast cancer. It should not only save lives and years of lingering illness, but is one step toward helping contain the rising costs of health care. The need for preventive health care for older persons is great. The Medicare Program does not address it. Since the vast majority of older persons are women, this bill is of great concern North Dakota's seniors.

We urge this Committee to give HB 1391 a "Do Pass" recommendation.

February 7, 1989

Prepared by the Legislative
Council staff

BILL NO.: HB 1391

SUBJECT: Mammogram examinations

CREATES NDCC: New section to
Chapter 26.1-36,
new section to
Chapter 54-52.1

BILL SUMMARY

GENERALLY, THIS BILL:

As amended, requires all health insurance policies to provide coverage for mammogram examinations for women who meet certain age requirements.