

**SB 2280 Testimony**  
**Senate Industry and Business Committee**  
**Representative Jonathan Warrey, Chairman**  
**March 17, 2025**

Chairman Warrey and members of the committee, my name is Carlotta McCleary. I am the Executive Director for both North Dakota Federation of Families for Children's Mental Health (NDFFCMH) and Mental Health America of North Dakota (MHAND). NDFFCMH is a parent run organization focused on the needs of children and youth with emotional, behavioral, or mental disorders and their families. MHAND's mission is to promote mental health through education, advocacy, understanding and access to quality care for all individuals.

We are here to support SB 2280. We believe SB 2280 is a patient-centric bill that will provide many substantial improvements to current practices. MHAND and NDFFCMH want to ensure North Dakotans can get timely access to services and supports that are recommended by their own physicians and specialists. Prior authorizations do serve a purpose, one that can save money and produce effectiveness for the patient. However, there are well-known issues with the way many patients experience prior authorizations today. For many, the prior authorization process can introduce significant delays in treatment, treatment that the patient has been told are medically necessary by their own doctor. When this occurs, prior authorizations can be burdensome to patients and can impact their health and quality of life if they are not receiving timely and necessary care recommended by their own physicians. Prior authorizations can also be burdensome for medical professionals trying to deliver necessary and quality care for their patients, leading to substantial and harmful delays in treatment. For the patient, prior

authorizations enter a great deal of uncertainty, time and energy spent trying to get the care that they know they need. Prior authorizations add layers of distress to the lives of those already experiencing much distress from their medical conditions; layers of distress that we desperately wish we could erase from the minds of individuals and families we directly support, and those that we work alongside to help make North Dakota the healthiest state in the nation.

Again, the prior authorization process is a necessary component of the health care system, but there are reforms that can be beneficial and needed for all parties. SB 2280 would provide standardized definitions for “prior authorization” and “medical necessity.” Policies and procedures are to be put on the organization’s website, written in ordinary language understandable by the average person. Additions or changes to the policies are required to be placed on their websites prior to enactment. Health care providers would be notified at least one hundred and twenty days before the change is implemented.

SB 2280 would ensure that physician and dentist recommendations would be reviewed by peers who at least have a similar specialty, with experience treating patients with the condition or illnesses that the service is being requested. Urgent healthcare requests will require a response within 24 hours, whereas non-urgent requests would be provided within two days. Furthermore, SB 2280 would allow an approved drug to be valid for a year (or at least through the last day of coverage) and cover any dosage change during the authorization period.

We believe that SB 2280 will make prior authorization policies more transparent and understandable for the general public and physicians, while simultaneously eliminating

many of the barriers that currently exist for patients so that they can live healthier and more fulfilling lives.

Thank you for your time and I would be happy to respond to any questions.

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