

**Testimony**  
**House Bill No. 1070**  
**Senate Services Committee**  
**Senator Lee, Chairman**  
February 11, 2025

Chairman Lee, and members of the House Human Services Committee, I am Krista Fremming, Assistant Director of the Medical Services Division with the Department of Health and Human Services (Department). I appear before you in support of House Bill No. 1070, which was introduced at the request of the Department.

The 2023 Legislative Assembly passed an increase in the Children's Health Insurance Program (CHIP) income eligibility limit from 175 to 210 percent of the federal poverty line (FPL). Prior to the 2023 legislative session, the Department communicated with the Centers for Medicare and Medicaid Services (CMS) in anticipation of the change and was told it was possible. After this change passed, the Department was informed by CMS that the maximum FPL North Dakota can increase to is 200 percent with a five-percentage point standardized income disregard, for a total of 205 percent FPL.

This is the maximum FPL that North Dakota can be approved by CMS for CHIP, as federal regulations at 42 CFR 435.4 define optional targeted low-income children's financial need as a maximum of either 200 percent FPL or the pre-CHIP Medicaid level that was in place in 1997 plus 50 percentage points. In North Dakota, the 1997 income levels were 147 percent for children ages 0-6 and 111 percent for children ages 6-19, making 200 percent FPL the maximum.

This bill has no fiscal impact, as any decreases in projected enrollment due to the lower FPL are included in the Department's cost to continue in the Department's base budget.

This concludes my testimony. I would be happy to try to answer any questions the committee may have. Thank you.