

SB 2280 Testimony
Senate Industry and Business Committee
Senator Jeff Barta, Chairman
February 5, 2025

Chairman Barta 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. Most importantly, prior authorizations are often 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. Sometimes patients and their doctors have decided on a course of treatment only for it to be determined unauthorized by prior authorization. This often requires patients to set another appointment to discuss other options that likely will be approved. Additional time and expenses, including missed time at work, are burdens that the patients must endure. Prior authorizations are also often 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.

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 will 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. This bill would ensure that medical decisions could remain between the patient and their doctor.

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

Carlotta McCleary, Executive Director
ND Federation of Families for Children's Mental Health
PO Box 3061
Bismarck ND 58502

Email: cmccleary@ndffcmh.com
Phone: (701) 222-3310

Carlotta McCleary, Executive Director
Mental Health America of ND
1720 Burnt Boat Drive, Suite 108
Bismarck ND 58503

Email: cmccleary@mhand.org
Phone: (701)255-3692