

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

11444

2001 HOUSE INDUSTRY, BUSINESS AND LABOR

HB 1144


2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1144

House Industry, Business and Labor Committee

Conference Committee

Hearing Date Jan 16, 2001

Tape Number	Side A	Side B	Meter #
1		X	6.33-14.00
Committee Clerk Signature 			

Minutes: Chairman R. Berg, Vice-Chair G. Keiser, Rep. M. Ekstrom, Rep. R. Froelich, Rep. G. Froseth, Rep. R. Jensen, Rep. N. Johnson, Rep. J. Kasper, Rep. M. Klein, Rep. Koppang, Rep. D. Lemieux, Rep. B. Pietsch, Rep. D. Ruby, Rep. D. Severson, Rep. E. Thorpe.

Vice-Chairman Keiser: *Stepping in for Chairman Berg* We will open the hearing on HB 1144.

Sue Anderson: *Legal council for ND Insurance Dept* **Written testimony sponsoring bill**

Rep Ekstrom: "Reasonable", is there some sort of guideline defining this?

Anderson: Yes, we are expecting a bulletin advising a guideline to work from on a case by case basis.

Rep Jensen: What would happen if we didn't pass this bill.

Anderson: With section one, we would not be able to assist if a company was not providing a mandated benefit.

Patrick Ward: *NAII, HIAA, ACLI, ND Domestic Cos.* After reviewing the amendments we are in support of this bill.

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House Industry, Business and Labor Committee

Bill/Resolution Number HB 1144

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Dan Ulmer: *Blue Cross Blue Shield* We support the bill with the amendments also.

Chairman Berg: We'll close the hearing on HB 1144. What are the committees wishes?

Rep Keiser: I move a do pass with amendments.

Rep Ekstrom: I second.

Rep Keiser: I move a do pass as amended.

Rep Ekstrom: I second.

14 yeas, 0 nays, 1 absent and Rep Jensen will carry.

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1144

Page 1, line 10, after "coverage" insert "on an individual, group, blanket, or franchise basis"

Page 1, line 13, replace "individually guaranteed renewable" with "individual or group"

Renumber accordingly

Date: 1-16-01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. ~~click here to type Bill/Resolution No.~~ 1144

House Industry, Business and Labor Committee

- Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass w/ Amendments

Motion Made By Keiser Seconded By Ekstrom

Representatives	Yes	No	Representatives	Yes	No
Chairman- Rick Berg	✓		Rep. Jim Kasper	✓	
Vice-Chairman George Keiser	✓		Rep. Matthew M. Klein	✓	
Rep. Mary Ekstorm	✓		Rep. Myron Koppang	✓	
Rep. Rod Froelich	✓		Rep. Doug Lemieux		
Rep. Glen Froseth	✓		Rep. Bill Pietsch	✓	
Rep. Roxanne Jensen	✓		Rep. Dan Ruby	✓	
Rep. Nancy Johnson	✓		Rep. Dale C. Severson	✓	
			Rep. Elwood Thorpe	✓	

Total (Yes) 14 No 0

Absent 1

Floor Assignment Jensen

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

REPORT OF STANDING COMMITTEE (410)
January 16, 2001 4:42 p.m.

Module No: HR-06-1097
Carrier: Jensen
Insert LC: 18169.0101 Title: .0200

REPORT OF STANDING COMMITTEE

HB 1144: Industry, Business and Labor Committee (Rep. Berg, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1144 was placed on the Sixth order on the calendar.

Page 1, line 10, after "coverage" insert "on an individual, group, blanket, or franchise basis"

Page 1, line 13, replace "individually guaranteed renewable" with "individual or group"

Renumber accordingly

2001 SENATE INDUSTRY, BUSINESS AND LABOR

HB 1144

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1144

Senate Industry, Business and Labor Committee

Conference Committee

Hearing Date February 20, 2001.

Tape Number	Side A	Side B	Meter #
1	x		9.9 to 13.4
Committee Clerk Signature <i>Doris E. Perry</i>			

Minutes:

The meeting was called to order. All committee members present. Hearing was opened on HB 1144 relating to insurance coverage for breast reconstruction surgery and to renewability of health insurance coverage.

Susan J Anderson, Legal Counsel, ND Insurance Dept. Written testimony attached. Intent : to allow the Insurance Dept. to enforce the Women's Health and Cancer Rights Act.

Senator Klein: Companies weren't providing this type of coverage and law is saying they have to?

S Anderson: This will allow us to enforce this provisions at the state level.

No opposing testimony. Hearing closed. Discussion held.

Senator Klein: Motion: do pass. **Senator Mathern**: Second

Roll call vote: 7 yes; 0 no. Motion carried. Floor assignment: **Senator Mathern**.

Date: Feb 20/01
Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1144

Senate Industry, Business and Labor Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Sen Klein Seconded By Sen Mathern

Senators	Yes	No	Senators	Yes	No
Senator Mutch - Chairman	✓		Senator Every	✓	
Senator Klein - Vice Chairman	✓		Senator Mathern	✓	
Senator Espegard	✓				
Senator Krebsbach	✓				
Senator Tollefson	✓				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Sen ~~Klein~~ Mathern

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

REPORT OF STANDING COMMITTEE (410)
February 20, 2001 11:04 a.m.

Module No: SR-31-3973
Carrier: D. Mathern
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1144, as engrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1144 was placed on the Fourteenth order on the calendar.

2001 TESTIMONY

HB 1144

HOUSE BILL NO. 1144

Presented by: Susan J. Anderson
Legal Counsel
North Dakota Insurance Department

Before: Industry, Business and Labor Committee
Representative Rick Berg, Chairman

Date: January 16, 2001

TESTIMONY

Mr. Chairman and members of the committee:

Good Morning, my name is Susan Anderson, Legal Counsel with the North Dakota Insurance Department. I stand before you today to introduce House Bill No. 1144.

Section 1 of House Bill No. 1144 will codify the federal requirement that all health insurers in the group and individual market that provide medical and surgical benefits for mastectomies to provide benefit coverage for:

- Reconstruction of the breast on which the mastectomy has been performed;
- Surgery and reconstruction of the other breast to produce a symmetrical appearance;
- Prostheses and physical complications for all stages of mastectomy, including lymphedemas.

Health insurers doing business in this state are required to provide these benefits because of federal law, specifically the Women's Health and Cancer Rights Act (WHCRA) amendment to the Health Insurance Portability and Accountability Act (HIPAA).

The passage of House Bill No. 1144 will allow the Insurance Department to enforce the

requirements of WHCRA.

We are also offering certain amendments shown on the attached sheet. The amendments introduced today have been discussed with the ACLI and Blue Cross Blue Shield. The amendments are to clarify that the WHCRA provisions do extend to all individual or group major medical policies but do not extend to limited benefit plans such as disability income policies.

The second section permits group and individual carriers to modify coverage at renewal if the modification is deemed reasonable and to require carriers that are modifying coverage to notify the Department so that we can be informed of such changes prior to the carriers mailing notice to the affected employers, participants, and beneficiaries.

We ask for your vote in favor of House Bill No. 1144.

HOUSE BILL NO. 1144

Presented by: Susan J. Anderson
Legal Counsel
North Dakota Insurance Department

Before: Industry, Business and Labor Committee
Senator Duane Mutch, Chairman

Date: February 20, 2001

TESTIMONY

Mr. Chairman and members of the committee:

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Section 1 of House Bill No. 1144 will codify the federal requirement that all health insurers in the group and individual market that provide medical and surgical benefits for mastectomies to provide benefit coverage for:

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Health insurers doing business in this state are required to provide these benefits because of federal law, specifically the Women's Health and Cancer Rights Act (WHCRA) amendment to the Health Insurance Portability and Accountability Act (HIPAA).

The passage of House Bill No. 1144 will allow the Insurance Department to enforce the

requirements of WHCRA.

The WHCRA provisions do extend to all individual or group major medical policies but do not extend to limited benefit plans such as disability income policies.

The second section permits group and individual carriers to modify coverage at renewal if the modification is deemed reasonable and to require carriers that are modifying coverage to notify the Department so that we can be informed of such changes prior to the carriers mailing notice to the affected employers, participants, and beneficiaries.

We ask for your vote in favor of House Bill No. 1144.