Fifty-fifth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2041

Introduced by

Legislative Council

(Insurance and Health Care Committee)

(Senators Mathern, Thane, Lee)
(Representatives Glassheim, R. Kelsch, Svedjan)

1   A BILL for an Act to amend and reenact subsection 2 of section 26.1-36-08 of the North Dakota

2   Century Code, relating to group health policy and health service contract substance abuse

3   coverage.

4   **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5   **SECTION 1. AMENDMENT.** Subsection 2 of section 26.1-36-08 of the North Dakota

6   Century Code is amended and reenacted as follows:

7   2.   The benefits must be provided for inpatient treatment and treatment by partial

8   hospitalization and outpatient treatment:

9   a.   In the case of benefits provided for inpatient treatment, the benefits must be

10   provided for a minimum of sixty days of services covered under this section

11   and section 26.1-36-09 in any calendar year if provided by a hospital as

12   defined in subsection 25 of section 52-01-01 and rules of the state

13   department of health pursuant thereto, or as licensed under section

14   23-17.1-01, offering ~~treatment~~ <u>services</u> for the prevention or ~~cure~~ <u>treatment</u> of

15   alcoholism, drug addiction, or other related illness.

16   b.   In the case of benefits provided for partial hospitalization, the benefits must

17   be provided for a minimum of one hundred twenty days of services covered

18   under this section and section 26.1-36-09 in any calendar year if provided by

19   a hospital as defined in subsection 25 of section 52-01-01 and rules of the

20   state department of health pursuant thereto or as licensed under section

21   23-17.1-01, <u>or by an addiction treatment program licensed under section</u>

22   <u>23-17.1-01,</u> or by a regional human service center licensed under section

23   50-06-05.2, ~~offering treatment~~ <u>that offers services</u> for the prevention or ~~cure~~

24   <u>treatment</u> of alcoholism, drug addiction, or other related illness. For services

1   provided in regional human service centers, charges must be reasonably

2   similar to the charges for care provided by hospitals as defined in this

3   subsection.

4   c.   Benefits may also be provided for a combination of inpatient and partial

5   hospitalization treatment. For the purpose of computing the period for which

6   benefits are payable, each day of inpatient treatment is equivalent to two days

7   of treatment by partial hospitalization; provided, however, that no more than

8   forty-six days of the inpatient treatment benefits required by this section may

9   be traded for treatment by partial hospitalization.

10   d.   In the case of benefits provided for outpatient treatment, the benefits must be

11   provided for a minimum of twenty visits for services covered under this

12   section in any calendar year, provided the diagnosis, evaluation, and

13   treatment services are provided within the scope of licensure by a licensed

14   physician, a licensed psychologist who is eligible for listing on the national

15   register of health service providers in psychology, or the treatment services

16   are provided within the scope of licensure by a licensed addiction counselor.

17   The insurance company, nonprofit health service corporation, or health

18   maintenance organization may not establish a deductible or a copayment for

19   the first five visits in any calendar year, and may not establish a copayment

20   greater than twenty percent for the remaining visits.

21   e.   If the services are provided by a provider outside a preferred provider network

22   without a referral from within the network, the insurance company, nonprofit

23   health service corporation, or health maintenance organization may establish

24   a copayment greater than twenty percent for only those visits after the first

25   five visits in any calendar year.

26   "Partial hospitalization" means continuous treatment for at least three hours, but

27   not more than twelve hours, in any twenty-four-hour period and includes the

28   medically necessary treatment services provided by licensed professionals under

29   the supervision of a licensed physician.