

**FIRST ENGROSSMENT  
with Senate Amendments**

Fifty-sixth  
Legislative Assembly  
of North Dakota

**ENGROSSED HOUSE BILL NO. 1039**

Introduced by

Legislative Council

(Insurance and Health Care Committee)

1 A BILL for an Act to create and enact a new section to chapter 26.1-36 of the North Dakota  
2 Century Code, relating to insurance coverage of ambulance services for prehospital emergency  
3 medical services.

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

5 **SECTION 1.** A new section to chapter 26.1-36 of the North Dakota Century Code is  
6 created and enacted as follows:

7 **Health insurance policy and health service contract - Prehospital emergency**  
8 **medical services.**

- 9 1. In this section, unless the context or subject matter otherwise requires:
- 10 a. "Emergency medical condition" means a medical condition that manifests  
11 itself by symptoms of sufficient severity which may include severe pain and  
12 that a prudent layperson who possesses an average knowledge of health and  
13 medicine could reasonably expect the absence of medical attention to result  
14 in placing the person's health in jeopardy, serious impairment of a bodily  
15 function, or serious dysfunction of any body part.
- 16 b. "Prehospital emergency medical services" means a service or its personnel  
17 either licensed under chapter 23-27 or certified by the state health  
18 department.
- 19 2. An insurance company, nonprofit health service corporation, or health  
20 maintenance organization may not deliver, issue, execute, or renew any health  
21 insurance policy, health service contract, or evidence of coverage that provides  
22 prehospital emergency medical services benefits on an individual, group, blanket,  
23 franchise, or association basis unless the policy, contract, or evidence of coverage

- 1 provides prehospital emergency medical services benefits in the case of an  
2 emergency medical condition.
- 3 3. The coverage required under this section does not require coverage in excess of  
4 policy aggregate limits or internal policy limits dealing specifically with prehospital  
5 emergency medical services.
- 6 4. This section does not prevent an insurance company, nonprofit health service  
7 corporation, or health maintenance organization from imposing deductibles,  
8 coinsurance, or other cost sharing in relation to benefits for prehospital emergency  
9 medical services.