

Fifty-seventh  
Legislative Assembly  
of North Dakota

ENGROSSED HOUSE BILL NO. 1407

Introduced by

Representatives Berg, Keiser, Price

Senators Espeland, Krebsbach, Lee

1 A BILL for an Act to provide for a cost-benefit analysis of mandated health insurance coverage  
2 of services; to provide for a legislative council study; and to provide an appropriation.

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

4 **SECTION 1. Health insurance mandated coverage of services - Cost-benefit**  
5 **analysis requirement.**

6 1. A legislative measure mandating health insurance coverage of services or  
7 payment for specified providers of services may not be acted on by any committee  
8 of the legislative assembly unless the measure is accompanied by a cost-benefit  
9 analysis prepared by the insurance commissioner. Factors to consider in this  
10 analysis include:

11 a. The extent to which the service provided by the proposed mandate is used by  
12 a significant proportion of the population.

13 b. The extent to which the service provided under the proposed mandate is  
14 generally available to consumers.

15 c. If the service provided by the proposed mandate is generally available, the  
16 extent to which the lack of the service results in individuals not receiving  
17 necessary health care treatment.

18 d. The level of public demand for the proposed service.

19 e. The level of public demand for insurance coverage of the proposed service.

20 f. The extent to which the proposed mandate would increase or decrease the  
21 cost of the service.

22 g. The extent to which the proposed mandate would increase the appropriate  
23 use of the service.

- 1            h. The extent to which the proposed mandate would increase or decrease the  
2            administrative expenses of insurers and the premium and administrative  
3            expenses of insureds.
- 4            i. The impact of the proposed mandate on the total cost of health care.
- 5            2. A majority of the members of the committee, acting through the chairman, has sole  
6            authority to determine whether a legislative measure mandates coverage of  
7            services under this section.
- 8            3. Any amendment made during a legislative session to a measure which mandates  
9            health insurance coverage of services may not be acted on by a committee of the  
10           legislative assembly unless the amendment is accompanied by a cost-benefit  
11           analysis prepared by the insurance commissioner.

12            **SECTION 2. LEGISLATIVE COUNCIL STUDY - HEALTH INSURANCE MANDATED**

13 **COVERAGE OF SERVICES.** The legislative council shall study during the 2001-02 interim  
14 existing mandated health insurance coverage of services and the feasibility and desirability of  
15 repealing state laws mandating health insurance coverage of services. During the 2001-02  
16 interim, the insurance commissioner shall evaluate each existing health insurance coverage  
17 mandate on the basis of cost or effect on insurance premiums as these relate to the benefits  
18 and evaluate the benefits of reducing the need for future health care services due to early  
19 identification and treatment. The insurance commissioner may contract with a third party to  
20 perform the evaluations. The insurance commissioner shall present the report to the legislative  
21 council interim committee conducting the study required by this section during the course of the  
22 study. The legislative council shall report its findings regarding the cost-benefit analysis of  
23 each mandate and its recommendations, together with any legislation required to implement  
24 recommendations regarding state laws mandating health insurance coverage of services, to the  
25 fifty-eighth legislative assembly.

26            **SECTION 3. FUNDING AUTHORITY - APPROPRIATION.** The insurance  
27 commissioner may accept, receive, and expend public and private moneys, not in excess of  
28 \$250,000, made available by grant or donation to accomplish the evaluations required under  
29 section 2 of this Act and those moneys are appropriated to the insurance commissioner for  
30 these purposes for the biennium beginning July 1, 2001, and ending June 30, 2003. Any  
31 unexpended general fund appropriation authority to and any excess income received by the

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1 insurance commissioner under chapter 32 of the 1999 Session Laws, in an amount not to  
2 exceed \$250,000, are not subject to section 54-44.1-11 and are available and may be  
3 expended by the insurance commissioner to accomplish the evaluations required under  
4 section 2 of this Act during the biennium beginning July 1, 2001, and ending June 30, 2003.