

Introduced by

1 A BILL for an Act to amend and reenact section 54-03-28 of the North Dakota Century Code,
2 relating to requirements for a legislative measure mandating health insurance coverage.

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

4 **SECTION 1. AMENDMENT.** Section 54-03-28 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **54-03-28. Health insurance mandated coverage of services - ~~Cost-benefit~~**
7 **~~analysis requirement~~ Public employee pilot project - Delayed implementation.**

- 8 ~~1.~~ A legislative measure mandating health insurance coverage of services or payment
9 for specified providers of services ~~may not be acted on by any committee of the~~
10 ~~legislative assembly unless the measure is accompanied by a cost-benefit analysis~~
11 ~~provided by the legislative council. Factors to consider in this analysis include:~~
12 ~~a. The extent to which the proposed mandate would increase or decrease the~~
13 ~~cost of the service.~~
14 ~~b. The extent to which the proposed mandate would increase the appropriate~~
15 ~~use of the service.~~
16 ~~c. The extent to which the proposed mandate would increase or decrease the~~
17 ~~administrative expenses of insurers and the premium and administrative~~
18 ~~expenses of insureds.~~
19 ~~d. The impact of the proposed mandate on the total cost of health care.~~
20 ~~2.~~ A majority of the members of the committee, acting through the chairman, has sole
21 authority to determine whether a legislative measure mandates coverage of
22 services under this section.
23 ~~3.~~ Any amendment made during a legislative session to a measure which mandates
24 health insurance coverage of services ~~may not be acted on by a committee of the~~

1 ~~legislative assembly unless the amendment is accompanied by a cost benefit~~
2 ~~analysis provided by the legislative council.~~

3 4. ~~The legislative council shall contract with a private entity, after receiving one or~~
4 ~~more recommendations from the insurance commissioner, to provide the~~
5 ~~cost benefit analysis required by this section. The insurance commissioner shall~~
6 ~~pay the cost of the contracted services to the entity providing the services shall~~
7 apply first to the public employees health insurance program and the public
8 employee retiree health insurance program and beginning two years from the
9 effective date of the measure shall apply to all insurers or providers of services.
10 The public employees retirement system shall include the mandated coverage or
11 payment in any contract for health insurance which becomes effective after the
12 adjournment of the legislative session during which the mandated coverage or
13 payment was enacted regardless of whether the measure becomes effective after
14 the effective date of the contract. After the first year during which the mandated
15 coverage or payment has been applied, the public employees retirement system
16 shall report to the legislative council on the effect of the mandated coverage or
17 payment on the system's health insurance programs. The report must include
18 information on the utilization and costs relating to the mandated coverage or
19 payment and a recommendation on whether the coverage or payment should
20 continue. The legislative council shall consider whether to recommend a bill for
21 introduction during the next legislative session to amend or repeal the provisions
22 relating to the mandated coverage or payment.