

February 4, 2009

PROPOSED AMENDMENTS TO SENATE BILL NO. 2272

Page 1, line 1, remove "chapter 26.1-36 and a new section to"

Page 1, line 2, after "for" insert "public employees retirement system"

Page 1, line 3, replace "and" with "to require a report regarding coverage of prosthetics;" and after "appropriation" insert "; and to provide an expiration date"

Page 1, remove lines 5 through 23

Page 2, remove lines 1 through 17

Page 2, replace lines 20 through 23 with:

"Insurance to cover prosthetics.

1. As used in this section, "prosthetics" means artificial legs, arms, or eyes. The term includes prosthetic replacements if required because of a change in the covered individual's physical condition, as set forth under title 42, United States Code, section 1395x(s)(9).
2. For all contracts or plans for health insurance which become effective after June 30, 2009, and which do not extend past June 30, 2011, the board shall provide medical benefits coverage under a contract for insurance pursuant to section 54-52.1-04 or under a self-insurance plan pursuant to section 54-52.1-04.2 which provides coverage for prosthetics which at a minimum equals the coverage provided for under the federal medicare program under title 42, United States Code, sections 1395k, 1395l, and 1395m, and title 42, Code of Federal Regulations, sections 414.202, 414.210, 414.228, and 410.100, as applicable to this section.
3. The coverage required under this section:
 - a. May require prior authorization for prosthetics in the same manner that prior authorization is required for any other covered benefit.
 - b. May impose copayment and coinsurance amounts on prosthetics, not to exceed the copayment and coinsurance amounts imposed under part B of the federal medicare fee-for-service program, under title 42, United States Code, chapter 7, subchapter XVIII, part B.
 - c. Must reimburse for covered prosthetics at a rate that is no less than the fee schedule amount for such prosthetics under the federal medicare reimbursement schedule, under title 42, United States Code, chapter 7, subchapter XVIII.
 - d. May not impose any lifetime dollar maximum on coverage for prosthetics other than a lifetime dollar maximum that applies in the aggregate to all terms and services covered under the policy, contract, or evidence of coverage.

SECTION 2. PUBLIC EMPLOYEES RETIREMENT SYSTEM - COVERAGE OF PROSTHETICS. Pursuant to section 54-03-28, the public employees retirement system shall prepare and submit for introduction a bill to the sixty-second legislative assembly to repeal the expiration date for section 1 of this Act and to extend the prosthetics coverage to apply to all group and individual health insurance policies. The public employees retirement system shall append to the bill a report regarding the effect of the prosthetics coverage requirement on the system's health insurance programs, information on the utilization and costs relating to the coverage, and a recommendation regarding whether the coverage should continue."

Page 2, line 28, replace "2" with "1"

Page 5, after line 4, insert:

"SECTION 4. EXPIRATION DATE. Section 1 of this Act is effective through July 31, 2011, and after that date is ineffective."

Renumber accordingly