

**FIRST ENGROSSMENT
with House Amendments**

Sixty-first
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2432

Introduced by

Senator O'Connell

1 A BILL for an Act to amend and reenact subsections 1 and 3 of section 65-05-28.2 of the North
2 Dakota Century Code, relating to preferred providers for work-related injuries.

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

4 **SECTION 1. AMENDMENT.** Subsections 1 and 3 of section 65-05-28.2 of the North
5 Dakota Century Code are amended and reenacted as follows:

- 6 1. During the first ~~sixty~~ thirty days after a work injury, an employee of an employer
7 who has selected a preferred provider under this section may seek medical
8 treatment only from the preferred provider for the injury. Treatment by a provider
9 other than the preferred provider is not compensable and the organization may not
10 pay for treatment by a provider who is not a preferred provider, unless a referral
11 was made by the preferred provider. A provider who is not a preferred provider
12 may not certify disability or render an opinion about any matter pertaining to the
13 injury, including causation, compensability, impairment, or disability. This section
14 does not apply to emergency care nor to any care the employee reasonably did
15 not know was related to a work injury.
- 16 3. After ~~sixty~~ thirty days have passed following the injury, the employee may make a
17 written request to the organization to change providers. The employee shall make
18 the request and serve it on the employer and the organization at least thirty days
19 prior to treatment by the provider. The employee shall state the reasons for the
20 request and the employee's choice of provider.