

PROPOSED REVISIONS TO THE THIRD DRAFT OF THE HEALTH CARE REFORM REVIEW COMMITTEE'S BILL DRAFT PROVIDING FOR A STATE-ADMINISTERED HEALTH BENEFIT EXCHANGE (11.0806.04000)

d Revision to Section 3 of the bill draft: add a repeal of Section 3 of Chapter 225 of the 2011 Session Laws. The necessary portions of this section are addressed in Section 4 of the committee's bill draft.

Revision to Section 4 of the bill draft, page 29, line 4: replace "shall" with "may".

Sections 7, 8, 9, 10, and 11 of the committee's bill draft authorize full-time equivalent positions. If any of those positions are intended to be limited to the end of the current biennium, the following language could be added to the appropriate appropriation clauses:

The authority to employ a full-time equivalent position under this section is effective only for the period beginning December 1, 2011, and ending June 30, 2013.

If the agency chooses to request authority for the position for the 2013-15 biennium, the position must be requested as a new position in the agency's budget request submitted to the office of management and budget.

Revision to proposed North Dakota Century Code Section 54-66-10, relating to creation of the Navigation Office under the Health Benefit Exchange Division: Because the federal Affordable Care Act and the proposed rules of the federal Department of Health and Human Services require the exchanges to award grants to at least two categories of eligible entities, the committee bill draft could be revised to direct the Navigation Office to provide grants to the Indian Affairs Commission. Under this approach, the activities of the Navigation Office could qualify as one of the navigators, and the Indian Affairs Commission could qualify as the second navigator. The following language could be added as a new subsection to proposed Section 54-66-10:

The navigation office shall provide navigator grants to the Indian affairs commission to

provide navigation services to Indian individuals and groups in the state. The Indian affairs commission shall take the steps necessary to comply with the terms of the grants, including:

1. Maintaining expertise in eligibility, enrollment, and program specifications;
2. Conducting public education activities to raise awareness about the exchange;
3. Providing information and services in a fair, accurate, and impartial manner;
4. Facilitating enrollment in qualified health plans;
5. Providing referrals to any applicable office of health insurance consumer assistance or health insurance ombudsman established under section 2793 of the federal Public Health Service Act, or any other appropriate state entity for any enrollee with a grievance, complaint, or question regarding the enrollee's health plan, coverage, or a determination under such plan or coverage;
6. Providing information in a manner that is culturally and linguistically appropriate to the needs of the population being served by the exchange, including individuals with limited English proficiency; and
7. Ensuring accessibility and usability of navigator tools and functions for individuals with disabilities in accordance with the federal Americans with Disabilities Act of 1990 [Pub. L. 101-336; 104 Stat. 327; 42 U.S.C. 12101 et seq.] and section 504 of the federal Rehabilitation Act of 1973 [Pub. L. 93-112; 87 Stat. 394; 29 U.S.C. 701 et seq.].