

**Sixty-third Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 8, 2013**

HOUSE BILL NO. 1036  
(Legislative Management)  
(Health Services Committee)

AN ACT to amend and reenact sections 23-01.1-01, 23-01.1-02, 23-01.1-04, and 23-01.1-07 of the North Dakota Century Code, relating to the membership and powers of the health care data committee, administrative authority of the health care data committee, and a civil penalty; to repeal section 23-01.1-02.1 and chapter 23-01.1 of the North Dakota Century Code, relating to the publication of comparative physician fee information and the health care data committee; and to provide an effective date.

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

**SECTION 1. AMENDMENT.** Section 23-01.1-01 of the North Dakota Century Code is amended and reenacted as follows:

**23-01.1-01. Health care data committee of state health council - Membership - Appointment by chairman of health council.**

The health care data committee is a standing committee of the state health council, consisting of not less than three nor more than five members, appointed by the chairman of the health council from the members of the council. A majority of the members of the health care data committee must be consumer members of the health council.

**SECTION 2. AMENDMENT.** Section 23-01.1-02 of the North Dakota Century Code is amended and reenacted as follows:

**23-01.1-02. Powers of health care data committee.**

~~To provide information to the public necessary for the enhancement of price competition in the health care market, the~~The health care data committee may:

1. Collect, store, analyze, and provide health care data.
2. ~~Compile the average aggregate charges by diagnosis for the twenty-five most common diagnoses, annual operating costs, revenues, capital expenditures, and utilization for each nonfederal acute care hospital in this state, and the average charges by source of payment and level of service in each long-term care facility in this state.~~
3. ~~Establish a uniform format for the collection of information on charges to patients.~~
4. ~~Prepare an annual report comparing the cost of hospitalization by diagnosis in each nonfederal acute care hospital and comparing average charges by source of payment and by level of service in each long-term care facility in the state.~~
- 5.2. Establish procedures that assure public availability of the information required to make informed health care purchasing decisions.
- 6.3. Establish arrangements with the state department of health, the department of human services, the insurance commissioner, workforce safety and insurance, ~~and the public employees retirement system, and other agencies~~ to assure patient confidentiality, the sharing of information, and the coordination, analysis, and dissemination of health care data, and to act in a manner which does not duplicate data collection activities of other state agencies.

7. ~~Prepare and distribute a report comparing physicians' average charges for selected services to include all physicians licensed to practice medicine in this state and determined by the health care data committee to be actively providing direct patient care services in this state.~~

**SECTION 3. AMENDMENT.** Section 23-01.1-04 of the North Dakota Century Code is amended and reenacted as follows:

**23-01.1-04. Administrative authority of health care data committee - Administrative support - Authority to acquire data.**

The health care data committee may adopt rules consistent with and necessary for the implementation of this chapter. The committee shall establish working arrangements among other state agencies for the assurance of patient confidentiality, the sharing of information, and the coordination, analysis, and dissemination of health care data to the public and to the state agencies ~~in making more cost-effective health care purchasing decisions.~~ The committee may require insurers, nonprofit health service corporations, health maintenance organizations, and state agencies to provide data regarding hospital, physician, and other provider ~~charges, information and reimbursement and volume data~~ as required for the performance of the duties of the committee under this chapter.

**SECTION 4. AMENDMENT.** Section 23-01.1-07 of the North Dakota Century Code is amended and reenacted as follows:

**23-01.1-07. Civil penalty.**

Any person violating this chapter or violating any rule adopted by the health care data committee is subject to a civil penalty not to exceed five hundred dollars per day of violation. The state department of health with the assistance of the attorney general may prosecute an action in district court to recover any civil penalty under this chapter.

**SECTION 5. REPEAL.** Section 23-01.1-02.1 of the North Dakota Century Code is repealed.

**SECTION 6. REPEAL.** Chapter 23-01.1 of the North Dakota Century Code is repealed.

**SECTION 7. EFFECTIVE DATE.** Section 6 of this Act becomes effective on August 1, 2015.

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Speaker of the House

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President of the Senate

\_\_\_\_\_  
Chief Clerk of the House

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Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-third Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1036.

House Vote:      Yeas 90              Nays 1              Absent 3

Senate Vote:      Yeas 47              Nays 0              Absent 0

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Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2013.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2013.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2013,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State