

**HOUSE BILL NO. 1359**

Introduced by

Representatives D. Anderson, Mock, Schauer, Schneider

Senators Burckhard, Kreun, Robinson

1 A BILL ~~for an Act to provide for a Medicaid pilot project for hyperbaric oxygenation treatment; to~~  
2 ~~provide for a report to legislative management; to provide an appropriation; and to declare an~~  
3 ~~emergency; for an Act to provide for a hyperbaric oxygen therapy pilot program; to provide an~~  
4 ~~appropriation; and to provide for a report to the legislative management.~~

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

6 ~~**SECTION 1. PILOT PROJECT -- MEDICAID HYPERBARIC OXYGENATION**~~  
7 ~~**TREATMENT -- REPORT TO LEGISLATIVE MANAGEMENT.**~~

8 ~~1. During the 2019-21 biennium, the department of human services shall conduct a~~  
9 ~~Medicaid hyperbaric oxygenation pilot project. As necessary, the department shall~~  
10 ~~apply for federal waivers to implement this section.~~

11 ~~2. The pilot project:~~

12 ~~a. May be administered by a third party;~~

13 ~~b. May include coverage of wraparound services, such as temporary housing, at~~  
14 ~~rates established by the department;~~

15 ~~c. May set provider reimbursement rates; and~~

16 ~~d. May be limited in scope to a Medicaid recipient who:~~

17 ~~(1) Has been diagnosed with a severe traumatic brain injury;~~

18 ~~(2) Meets any pretreatment assessments, such as a neuro-optic assessment;~~

19 ~~(3) Agrees to comply with a treatment program that may include additional~~  
20 ~~medical treatments, such as laboratory work;~~

21 ~~(4) Has a support system to assist in continuity of care, which may include~~  
22 ~~assisting with transportation and monitoring the recipient to report positive~~  
23 ~~and negative changes; and~~

1 ~~\_\_\_\_\_ (5) Agrees to comply with a posttreatment assessment, such as a post-diving~~  
2 ~~assessment.~~

3 ~~\_\_\_\_\_ 3. Periodically, the department shall report to the legislative management on the status of~~  
4 ~~the program, including treatment outcomes and fiscal data.~~

5 ~~\_\_\_\_\_ **SECTION 2. APPROPRIATION.** There is appropriated out of any moneys in the general~~  
6 ~~fund in the state treasury, not otherwise appropriated, the sum of \$335,000, or so much of the~~  
7 ~~sum as may be necessary, to the department of human services for the purpose of~~  
8 ~~implementing the Medicaid hyperbaric oxygenation treatment pilot project, for the biennium~~  
9 ~~beginning July 1, 2019, and ending June 30, 2021.~~

10 ~~\_\_\_\_\_ **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.~~

11 **SECTION 1. APPROPRIATION - HYPERBARIC OXYGEN THERAPY PILOT PROGRAM -**  
12 **REPORT TO LEGISLATIVE MANAGEMENT.**

- 13 1. There is appropriated out of any moneys in the strategic investment and improvements  
14 fund in the state treasury, not otherwise appropriated, the sum of \$335,000, or so  
15 much of the sum as may be necessary, to the state department of health for the  
16 purpose of contracting with a third party to implement a hyperbaric oxygen therapy  
17 pilot program, for the biennium beginning July 1, 2019, and ending June 30, 2021.
- 18 2. The department shall contract with a local nonprofit entity with experience  
19 implementing studies using hyperbaric oxygen for traumatic brain injuries to conduct a  
20 pilot program for treatment of moderate to severely brain-injured North Dakotans using  
21 an established protocol of hyperbaric oxygen therapy provided by a private entity with  
22 experience in treating traumatic brain injury using medical-grade hyperbaric chambers  
23 pressurized with one hundred percent oxygen. The goals of the study include  
24 demonstrating improvement in brain-eye function using RightEye, significant  
25 improvement in quality of life of injured patients, significant improvement in cognitive  
26 abilities of injured patients, and financial savings and increased revenues for the state,  
27 including possible savings for medical assistance and workers' compensation and a  
28 positive impact on income tax revenues. The pilot program design must be established  
29 in consultation with a third-party physician.

- 1        3.    During the 2019-21 biennium, the department shall make periodic reports to the
- 2                legislative management on the status of the pilot program and whether the goals are
- 3                being realized.