



North Dakota Workforce  
Safety & Insurance

Art Thompson  
Director

August 13, 2025

Ms. Liz Fordahl  
ND Legislative Council  
State Capitol  
600 East Boulevard Avenue  
Bismarck, ND 58505-0160

**Submitted via email to  
lfordahl@ndlegis.gov**

Dear Ms. Fordahl:

The Full Notice of Intent to Adopt, Create, Amend, and Repeal Administrative Rules and Notice of Public Hearing relating to Workforce Safety & Insurance, and copies of the proposed rule changes are enclosed, as required by N.D.C.C. §28-32-10(1). Also enclosed are the regulatory analyses, small entity regulatory analyses, small entity economic impact statements, and fiscal notes with a statement of whether any significant impact will occur.

Sincerely,



Julie Porsborg  
WSI Paralegal  
Ph. 701-328-3878  
jporsborg@nd.gov

Enclosures

**NOTICE OF INTENT TO**  
**ADOPT, CREATE, AMEND, AND REPEAL ADMINISTRATIVE RULES**  
**RELATING TO WORKFORCE SAFETY & INSURANCE,**  
**AND NOTICE OF PUBLIC HEARING**

**Amend: Temporary Partial Disability Benefits; Injured Employee Attorney Fees; Merger, Transfer & Sale of Business; Rehabilitation Equipment; Medical and Hospital Fees; Medical Services – Definitions, Who May Be Reimbursed, and Prior Authorization; Criteria for Motor Vehicle Purchase and Modification, Home Modification, Power Mobility Device, Footwear, and Prostheses; Independent Medical Examinations; Medical Service Provider Responsibilities and Billings and Copies of Records; Employer Attorney Fees; Decision Review Office – Electronic Means; and Premium Credit – Military Members.**

**Repeal: Definitions; First Report of Injury; Treating Health Care Provider’s Opinion; and Contributing Cause of Mental or Psychological Condition Defined.**

TAKE NOTICE that Workforce Safety & Insurance(WSI) will hold a public hearing to address the proposed creation, amendments and repeal to North Dakota Administrative Code, Title 92, at 9:00 AM on Tuesday, September 23, 2025, at the WSI Board Room, Century Center, 1600 E. Century Avenue, Bismarck, North Dakota, at which time and place all persons will be heard regarding the proposed creation, amendments, and repeal to the North Dakota Administrative Code as follows:

1. The purpose of the repeal of Administrative Code Section 92-01-02-01, regarding the definitions of the terms “Act” and “Organization” is to remove these terms which are unnecessary and no longer useful and “Organization” is defined in statute. The proposed repeal is not expected to have an impact on the regulated community in excess of \$50,000.
2. The purpose of the proposed amendment to Administrative Code Section 92-01-02-02.1, relating to temporary partial disability benefits is to remove repetitive language which is codified in statute. The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.
3. The purpose of the repeal of Administrative Code Section 92-01-02-02.3, relating to the First Report of Injury (FROI) is to remove an unnecessary rule which outlines how to complete the application and outlines some procedural steps for filing a claim which are codified in statute. The proposed repeal is not expected to have an impact on the regulated community in excess of \$50,000.
4. The purpose of the repeal of Administrative Code Section 92-01-02-02.4, relating to the treating health care provider’s opinion, is to remove an obsolete rule. The proposed repeal is not expected to have an impact on the regulated community in excess of \$50,000.

5. The purpose of the repeal of Administrative Code Section 92-01-02-02.5, relating to “contributing cause of mental or psychological condition defined” is due to an opinion of the N.D. Supreme Court. Subsequently, this rule had been codified in statute during the 69<sup>th</sup> Legislative Assembly of North Dakota, Senate Bill 2109. The proposed repeal is not expected to have an impact on the regulated community in excess of \$50,000.
6. The purpose of the proposed amendment to Administrative Code Section 92-01-02-11.1, relating to injured employee’s attorney fees is to increase the hourly rate and caps regarding attorney’s fees and to increase the reimbursement for copying charges. The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.
7. The purpose of the proposed amendment to Administrative Code Section 92-01-02-13, relating to a merger, exchange, or transfer of business is to remove the term “exchange” of business and insert the term “sale” of business when defining a surviving entity, and to further define the terms “constituent business” and “surviving entity”. The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.
8. The purpose of the proposed amendment to Administrative Code Section 92-01-02-24, relating to rehabilitation services is to allow for payment of training equipment for an injured employee, such as a computer, absent a determination of a retraining program. The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.
9. The purpose of the proposed amendment to Administrative Code Section 92-01-02-27, relating to medical and hospital fees and reimbursement methods is to include the organization’s Formulary/Medication Restrictions list. The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.
10. The purpose of the proposed amendment to Administrative Code Section 92-01-02-29, relating to medical services – definitions is to remove the terms “concurrent review” and “physical conditioning” as obsolete, and to enhance the description of other terms to provide more clarity. The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.
11. The purpose of the proposed amendment to Administrative Code Section 92-01-02-29.3, relating to motor vehicle purchase and modification is to further streamline and clarify the criteria that must be met for the organization’s approval. The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.
12. The purpose of the proposed amendment to Administrative Code Section 92-01-02-29.4, relating to home modifications is to further streamline and clarify the criteria that must be met for the organization’s approval. The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.

13. The purpose of the proposed amendment to Administrative Code Section 92-01-02-29.5, relating to power mobility devices is to further streamline and clarify the criteria that must be met for the organization's approval. The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.

14. The purpose of the proposed amendment to Administrative Code Section 92-01-02-29.6, relating to footwear is to further streamline and clarify the criteria that must be met for the organization's approval. The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.

15. The purpose of the proposed amendment to Administrative Code Section 92-01-02-29.7, relating to prosthetics is to further streamline and clarify the criteria that must be met for the organization's approval. The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.

16. The purpose of the proposed amendment to Administrative Code Section 92-01-02-31, relating to "medical services – who may be reimbursed" is to further clarify a reason for holding a medical service provider ineligible for reimbursement involving a disciplinary action. The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.

17. The purpose of the proposed amendment to Administrative Code Section 92-01-02-34, relating to medical treatment requiring preservice review is to insert the standardized term "prior authorization" to be requested by medical service providers. The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.

18. The purpose of the proposed amendment to Administrative Code Section 92-01-02-41, relating to independent medical examinations is to remove unnecessary language. The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.

19. The purpose of the proposed amendment to Administrative Code Section 92-01-02-45.1, relating to medical service provider responsibilities and billings is to remove the requirement of a social security number, remove some billing requirements, and to outline the copying charges paid by the organization when requesting records for the coordination of a benefits determination. The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.

20. The purpose of the proposed amendment to Administrative Code Section 92-01-02-46, relating to medical services disputes is to replace the term "preauthorization" with "prior authorization." The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.

21. The purpose of the proposed creation of Administrative Code Section 92-01-02-49.2, is to outline criteria for attorney fee reimbursement for employers. The proposed creation is not expected to have an impact on the regulated community in excess of \$50,000.

22. The purpose of the proposed creation of Administrative Code Section 92-01-02-58, is to outline the application process for approval of a one-time premium credit for an active member of the N.D. National Guard or armed forces, a veteran, or a surviving spouse of a veteran. The creation of this rule is the result of legislation passed by the 69<sup>th</sup> Legislative Assembly, Senate Bill 2046. The proposed creation is not expected to have an impact on the regulated community in excess of \$50,000.

23. The purpose of the proposed amendment to Administrative Code Section 92-01-03-04, relating to the Decision Review Office is to expand the issuance of the certificate of completion and correspondence by electronic means. This amendment is the result of legislation passed by the 69<sup>th</sup> Legislative Assembly, Senate Bill 2109. The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.

The proposed rules, and regulatory analyses, small entity regulatory analyses, small entity economic impact statements, and fiscal notes may be reviewed at Workforce Safety & Insurance, 1600 East Century Avenue, Suite 1, Bismarck, North Dakota. A copy of the proposed rules, regulatory analyses, small entity regulatory analyses, small entity economic impact statements, and fiscal notes may be requested by writing to the address below or by calling 800-777-5033.

Persons who require accommodations to attend the public hearing should contact Workforce Safety & Insurance at the below address and phone number at least five days prior to the public hearing.

Workforce Safety & Insurance  
P.O Box 5585  
1600 E. Century Ave., Suite 1  
Bismarck, ND 58506-5585  
Ph. 800-777-5033  
TTY: 1-800-366-6888

Written or oral comments concerning the proposed rules may be sent or telephoned to the organization at the above address or phone number. The closing date for receipt and full consideration of all written or oral comments is end of business day, October 3, 2025.

Dated: August 13, 2025. WSI Legal Department, ATTN: Julie Porsborg

## **REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-01

**Title of Section:** Definitions.

**GENERAL:** The following analysis is submitted in compliance with section 28-32-08 of the NDCC.

This rule is not expected to impact the regulated community in excess of \$50,000.

## **SMALL ENTITY REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-01

**Title of Section:** Definitions.

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(2) of the NDCC.

### **POSSIBLE WAYS TO MINIMIZE THE ADVERSE IMPACT ON SMALL ENTITIES:**

**A. Establishing less stringent compliance or reporting requirements:**

There are no reporting or compliance requirements impacted by the change.

**B. Establishing less stringent schedules or deadlines for compliance or report:**

There are no compliance issues impacted by the change.

**C. Consolidating or simplifying compliance or reporting requirements:**

There are no compliance or reporting issues impacted by the change.

**D. Establishing performance standards that replace design or operational standards required in the proposed rule:**

There are no performance standards impacted by the change.

**E. Exempting small entities from all or part of the rule's requirements:**

There are no entities impacted by the change.

## **SMALL ENTITY ECONOMIC IMPACT STATEMENT**

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(3) of the NDCC.

Based on our analysis of this rule there is no need to complete a Small Entity Economic Impact Statement as there is not an adverse impact.

## **WORKFORCE SAFETY & INSURANCE** **ADMINISTRATIVE RULE** **FISCAL NOTE**

**ADMINISTRATIVE RULE NO:** 92-01-02-01

**ADMINISTRATIVE RULE TITLE:** Definitions.

**SUMMARY OF PROPOSED RULE:** The purpose of the proposed repeal of Administrative Code Section 92-01-02-01, relating to definitions is to remove two terms which are unnecessary and no longer useful, one of which is defined in statute.

**FISCAL IMPACT:** No fiscal impact.

**DATE:** July 31, 2025

## **REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-02.1

**Title of Section:** Temporary Partial Disability Benefits.

**GENERAL:** The following analysis is submitted in compliance with section 28-32-08 of the NDCC.

This rule is not expected to impact the regulated community in excess of \$50,000.

## **SMALL ENTITY REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-02.1

**Title of Section:** Temporary Partial Disability Benefits.

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(2) of the NDCC.

### **POSSIBLE WAYS TO MINIMIZE THE ADVERSE IMPACT ON SMALL ENTITIES:**

**A. Establishing less stringent compliance or reporting requirements:**  
There are no reporting or compliance requirements impacted by the change.

**B. Establishing less stringent schedules or deadlines for compliance or report:** There are no compliance issues impacted by the change.

**C. Consolidating or simplifying compliance or reporting requirements:**  
There are no compliance or reporting issues impacted by the change.

**D. Establishing performance standards that replace design or operational standards required in the proposed rule:** There are no performance standards impacted by the change.

**E. Exempting small entities from all or part of the rule's requirements:**  
There are no entities impacted by the change.



## **SMALL ENTITY ECONOMIC IMPACT STATEMENT**

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(3) of the NDCC.

Based on our analysis of this rule there is no need to complete a Small Entity Economic Impact Statement as there is not an adverse impact.

## **WORKFORCE SAFETY & INSURANCE** **ADMINISTRATIVE RULE** **FISCAL NOTE**

**ADMINISTRATIVE RULE NO:** 92-01-02-02.1

**ADMINISTRATIVE RULE TITLE:** Temporary Partial Disability Benefits.

**SUMMARY OF PROPOSED RULE:** The purpose of the proposed amendment to Administrative Code Section 92-01-02-02.1, relating to temporary partial disability benefits is to remove repetitive language which is codified in statute.

**FISCAL IMPACT:** No fiscal impact.

**DATE:** July 31, 2025

## **REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-02.3

**Title of Section:** First Report of Injury.

**GENERAL:** The following analysis is submitted in compliance with section 28-32-08 of the NDCC.

This rule is not expected to impact the regulated community in excess of \$50,000.

## **SMALL ENTITY REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-02.3

**Title of Section:** First Report of Injury.

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(2) of the NDCC.

### **POSSIBLE WAYS TO MINIMIZE THE ADVERSE IMPACT ON SMALL ENTITIES:**

**A. Establishing less stringent compliance or reporting requirements:**

There are no reporting or compliance requirements impacted by the change.

**B. Establishing less stringent schedules or deadlines for compliance or report:**

There are no compliance issues impacted by the change.

**C. Consolidating or simplifying compliance or reporting requirements:**

There are no compliance or reporting issues impacted by the change.

**D. Establishing performance standards that replace design or operational standards required in the proposed rule:**

There are no performance standards impacted by the change.

**E. Exempting small entities from all or part of the rule's requirements:**

There are no entities impacted by the change.

## **SMALL ENTITY ECONOMIC IMPACT STATEMENT**

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(3) of the NDCC.

Based on our analysis of this rule there is no need to complete a Small Entity Economic Impact Statement as there is not an adverse impact.

## **WORKFORCE SAFETY & INSURANCE** **ADMINISTRATIVE RULE** **FISCAL NOTE**

**ADMINISTRATIVE RULE NO:** 92-01-02-02.3

**ADMINISTRATIVE RULE TITLE:** First Report of Injury.

**SUMMARY OF PROPOSED RULE:** The purpose of the proposed repeal of Administrative Code Section 92-01-02-02.3, relating to the First Report of Injury is to remove an unnecessary rule which outlines how to complete the application and outlines some procedural steps for filing a claim which are codified in statute.

**FISCAL IMPACT:** No fiscal impact.

**DATE:** July 31, 2025

## **REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-02.4

**Title of Section:** Treating Health Care Provider's Opinion.

**GENERAL:** The following analysis is submitted in compliance with section 28-32-08 of the NDCC.

This rule is not expected to impact the regulated community in excess of \$50,000.

## **SMALL ENTITY REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-02.4

**Title of Section:** Treating Health Care Provider's Opinion.

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(2) of the NDCC.

### **POSSIBLE WAYS TO MINIMIZE THE ADVERSE IMPACT ON SMALL ENTITIES:**

**A. Establishing less stringent compliance or reporting requirements:**

There are no reporting or compliance requirements impacted by the change.

**B. Establishing less stringent schedules or deadlines for compliance or report:**

There are no compliance issues impacted by the change.

**C. Consolidating or simplifying compliance or reporting requirements:**

There are no compliance or reporting issues impacted by the change.

**D. Establishing performance standards that replace design or operational standards required in the proposed rule:**

There are no performance standards impacted by the change.

**E. Exempting small entities from all or part of the rule's requirements:**

There are no entities impacted by the change.

## **SMALL ENTITY ECONOMIC IMPACT STATEMENT**

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(3) of the NDCC.

Based on our analysis of this rule there is no need to complete a Small Entity Economic Impact Statement as there is not an adverse impact.

## **WORKFORCE SAFETY & INSURANCE** **ADMINISTRATIVE RULE** **FISCAL NOTE**

**ADMINISTRATIVE RULE NO:** 92-01-02-02.4.

**ADMINISTRATIVE RULE TITLE:** Treating Health Care Provider's Opinion.

**SUMMARY OF PROPOSED RULE:** The purpose of the proposed repeal of Administrative Code Section 92-01-02-02.4, relating to a treating health care provider's opinion, is to remove an obsolete rule.

**FISCAL IMPACT:** No fiscal impact.

**DATE:** July 31, 2025

## **REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-02.5

**Title of Section:** Contributing Cause of Mental or Psychological Condition Defined.

**GENERAL:** The following analysis is submitted in compliance with section 28-32-08 of the NDCC.

This rule is not expected to impact the regulated community in excess of \$50,000.

## **SMALL ENTITY REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-02.5

**Title of Section:** Contributing Case of Mental or Psychological Condition Defined.

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(2) of the NDCC.

### **POSSIBLE WAYS TO MINIMIZE THE ADVERSE IMPACT ON SMALL ENTITIES:**

**A. Establishing less stringent compliance or reporting requirements:**

There are no reporting or compliance requirements impacted by the change.

**B. Establishing less stringent schedules or deadlines for compliance or report:**

There are no compliance issues impacted by the change.

**C. Consolidating or simplifying compliance or reporting requirements:**

There are no compliance or reporting issues impacted by the change.

**D. Establishing performance standards that replace design or operational standards required in the proposed rule:**

There are no performance standards impacted by the change.

**E. Exempting small entities from all or part of the rule's requirements:**

There are no entities impacted by the change.

## **SMALL ENTITY ECONOMIC IMPACT STATEMENT**

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(3) of the NDCC.

Based on our analysis of this rule there is no need to complete a Small Entity Economic Impact Statement as there is not an adverse impact.

## **WORKFORCE SAFETY & INSURANCE** **ADMINISTRATIVE RULE** **FISCAL NOTE**

**ADMINISTRATIVE RULE NO:** 92-01-02-02.5

**ADMINISTRATIVE RULE TITLE:** Contributing Cause of Mental or Psychological Condition Defined.

**SUMMARY OF PROPOSED RULE:** The purpose of the proposed repeal of Administrative Code Section 92-01-02-02.5, relating to “contributing cause of mental or psychological condition defined” is due to an opinion of the N.D. Supreme Court. Subsequently, this rule had been codified in statute during the 69<sup>th</sup> Legislative Assembly of North Dakota, Senate Bill 2109.

**FISCAL IMPACT:** No fiscal impact.

**DATE:** July 31, 2025

## **REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-11.1

**Title of Section:** Attorney's fees.

**GENERAL:** The following analysis is submitted in compliance with section 28-32-08 of the NDCC.

This rule is not expected to impact the regulated community in excess of \$50,000.

## **SMALL ENTITY REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-11.1.

**Title of Section:** Attorney's fees.

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(2) of the NDCC.

### **POSSIBLE WAYS TO MINIMIZE THE ADVERSE IMPACT ON SMALL ENTITIES:**

**A. Establishing less stringent compliance or reporting requirements:**

There are no reporting or compliance requirements impacted by the change.

**B. Establishing less stringent schedules or deadlines for compliance or report:**

There are no compliance issues impacted by the change.

**C. Consolidating or simplifying compliance or reporting requirements:**

There are no compliance or reporting issues impacted by the change.

**D. Establishing performance standards that replace design or operational standards required in the proposed rule:**

There are no performance standards impacted by the change.

**E. Exempting small entities from all or part of the rule's requirements:**

There are no entities impacted by the change.



## **SMALL ENTITY ECONOMIC IMPACT STATEMENT**

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(3) of the NDCC.

Based on our analysis of this rule there is no need to complete a Small Entity Economic Impact Statement as there is not an adverse impact.

## **WORKFORCE SAFETY & INSURANCE** **ADMINISTRATIVE RULE** **FISCAL NOTE**

**ADMINISTRATIVE RULE NO:** 92-01-02-11.1

**ADMINISTRATIVE RULE TITLE:** Attorney's fees.

**SUMMARY OF PROPOSED RULE:** The purpose of the proposed amendment to Administrative Code Section 92-01-02-11.1, relating to injured employee's attorney fees is to increase the hourly rate and caps regarding attorney's fees, and to increase the reimbursement for copying charges.

**FISCAL IMPACT:** Anticipate an approximate 5% increase of injured employee's attorney fees or approximately \$7,000.00 per year.

**DATE:** July 31, 2025

## **REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-13

**Title of Section:** Merger, Exchange, or Transfer of Business.

**GENERAL:** The following analysis is submitted in compliance with section 28-32-08 of the NDCC.

This rule is not expected to impact the regulated community in excess of \$50,000.

## **SMALL ENTITY REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-13.

**Title of Section:** Merger, Exchange, or Transfer of Business.

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(2) of the NDCC.

### **POSSIBLE WAYS TO MINIMIZE THE ADVERSE IMPACT ON SMALL ENTITIES:**

**A. Establishing less stringent compliance or reporting requirements:**

There are no reporting or compliance requirements impacted by the change.

**B. Establishing less stringent schedules or deadlines for compliance or report:**

There are no compliance issues impacted by the change.

**C. Consolidating or simplifying compliance or reporting requirements:**

There are no compliance or reporting issues impacted by the change.

**D. Establishing performance standards that replace design or operational standards required in the proposed rule:**

There are no performance standards impacted by the change.

**E. Exempting small entities from all or part of the rule's requirements:**

There are no entities impacted by the change.

## **SMALL ENTITY ECONOMIC IMPACT STATEMENT**

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(3) of the NDCC.

Based on our analysis of this rule there is no need to complete a Small Entity Economic Impact Statement as there is not an adverse impact.

## **WORKFORCE SAFETY & INSURANCE** **ADMINISTRATIVE RULE** **FISCAL NOTE**

**ADMINISTRATIVE RULE NO:** 92-01-02-13

**ADMINISTRATIVE RULE TITLE:** Merger, Exchange, or Transfer of Business.

**SUMMARY OF PROPOSED RULE:** The purpose of the proposed amendment to Administrative Code Section 92-01-02-13, relating to a merger, exchange, or transfer of business is to remove the term “exchange” of business and insert the term “sale” of business when defining a surviving entity, and to further define the terms “constituent business” and “surviving entity.”

**FISCAL IMPACT:** No fiscal impact.

**DATE:** July 31, 2025

## **REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-24

**Title of Section:** Rehabilitation Services.

**GENERAL:** The following analysis is submitted in compliance with section 28-32-08 of the NDCC.

This rule is not expected to impact the regulated community in excess of \$50,000.

## **SMALL ENTITY REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-24

**Title of Section:** Rehabilitation Services.

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(2) of the NDCC.

### **POSSIBLE WAYS TO MINIMIZE THE ADVERSE IMPACT ON SMALL ENTITIES:**

**A. Establishing less stringent compliance or reporting requirements:**

There are no reporting or compliance requirements impacted by the change.

**B. Establishing less stringent schedules or deadlines for compliance or report:**

There are no compliance issues impacted by the change.

**C. Consolidating or simplifying compliance or reporting requirements:**

There are no compliance or reporting issues impacted by the change.

**D. Establishing performance standards that replace design or operational standards required in the proposed rule:**

There are no performance standards impacted by the change.

**E. Exempting small entities from all or part of the rule's requirements:**

There are no entities impacted by the change.

## **SMALL ENTITY ECONOMIC IMPACT STATEMENT**

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(3) of the NDCC.

Based on our analysis of this rule there is no need to complete a Small Entity Economic Impact Statement as there is not an adverse impact.

## **WORKFORCE SAFETY & INSURANCE** **ADMINISTRATIVE RULE** **FISCAL NOTE**

**ADMINISTRATIVE RULE NO:** 92-01-02-24

**ADMINISTRATIVE RULE TITLE:** Rehabilitation Services.

**SUMMARY OF PROPOSED RULE:** The purpose of the proposed amendment to Administrative Code Section 92-01-02-24, relating to rehabilitation services is to allow for payment of training equipment for an injured employee, such as a computer, absent a determination of a retraining program.

**FISCAL IMPACT:** There is no fiscal impact anticipated.

**DATE:** July 31, 2025

## **REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-27

**Title of Section:** Medical and Hospital Fees – Reimbursement Methods.

**GENERAL:** The following analysis is submitted in compliance with section 28-32-08 of the NDCC.

This rule is not expected to impact the regulated community in excess of \$50,000.

## **SMALL ENTITY REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-27

**Title of Section:** Medical and Hospital Fees – Reimbursement Methods.

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(2) of the NDCC.

### **POSSIBLE WAYS TO MINIMIZE THE ADVERSE IMPACT ON SMALL ENTITIES:**

**A. Establishing less stringent compliance or reporting requirements:**

There are no reporting or compliance requirements impacted by the change.

**B. Establishing less stringent schedules or deadlines for compliance or report:**

There are no compliance issues impacted by the change.

**C. Consolidating or simplifying compliance or reporting requirements:**

There are no compliance or reporting issues impacted by the change.

**D. Establishing performance standards that replace design or operational standards required in the proposed rule:**

There are no performance standards impacted by the change.

**E. Exempting small entities from all or part of the rule's requirements:**

There are no entities impacted by the change.

## **SMALL ENTITY ECONOMIC IMPACT STATEMENT**

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(3) of the NDCC.

Based on our analysis of this rule there is no need to complete a Small Entity Economic Impact Statement as there is not an adverse impact.

## **WORKFORCE SAFETY & INSURANCE** **ADMINISTRATIVE RULE** **FISCAL NOTE**

**ADMINISTRATIVE RULE NO:** 92-01-02-27

**ADMINISTRATIVE RULE TITLE:** Medical and Hospital Fees – Reimbursement Methods.

**SUMMARY OF PROPOSED RULE:** The purpose of the proposed amendment to Administrative Code Section 92-01-02-27, relating to medical and hospital fees and reimbursement methods is to include the organization's Formulary/Medication Restrictions list.

**FISCAL IMPACT:** No fiscal impact.

**DATE:** July 31, 2025

## **REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-29

**Title of Section:** Medical Services – Definitions.

**GENERAL:** The following analysis is submitted in compliance with section 28-32-08 of the NDCC.

This rule is not expected to impact the regulated community in excess of \$50,000.

## **SMALL ENTITY REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-29

**Title of Section:** Medical Services – Definitions.

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(2) of the NDCC.

### **POSSIBLE WAYS TO MINIMIZE THE ADVERSE IMPACT ON SMALL ENTITIES:**

**A. Establishing less stringent compliance or reporting requirements:**  
There are no reporting or compliance requirements impacted by the change.

**B. Establishing less stringent schedules or deadlines for compliance or report:** There are no compliance issues impacted by the change.

**C. Consolidating or simplifying compliance or reporting requirements:**  
There are no compliance or reporting issues impacted by the change.

**D. Establishing performance standards that replace design or operational standards required in the proposed rule:** There are no performance standards impacted by the change.

**E. Exempting small entities from all or part of the rule's requirements:**  
There are no entities impacted by the change.



## **SMALL ENTITY ECONOMIC IMPACT STATEMENT**

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(3) of the NDCC.

Based on our analysis of this rule there is no need to complete a Small Entity Economic Impact Statement as there is not an adverse impact.

## **WORKFORCE SAFETY & INSURANCE** **ADMINISTRATIVE RULE** **FISCAL NOTE**

**ADMINISTRATIVE RULE NO:** 92-01-02-29

**ADMINISTRATIVE RULE TITLE:** Medical Services – Definitions.

**SUMMARY OF PROPOSED RULE:** The purpose of the proposed amendment to Administrative Code Section 92-01-02-29, relating to medical services – definitions is to remove the terms “concurrent review” and “physical conditioning” as obsolete, and to enhance the description of other terms to provide more clarity.

**FISCAL IMPACT:** No fiscal impact.

**DATE:** July 31, 2025

## **REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-29.3

**Title of Section:** Motor Vehicle Purchase and Modification.

**GENERAL:** The following analysis is submitted in compliance with section 28-32-08 of the NDCC.

This rule is not expected to impact the regulated community in excess of \$50,000.

## **SMALL ENTITY REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-29.3

**Title of Section:** Motor Vehicle Purchase and Modification.

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(2) of the NDCC.

### **POSSIBLE WAYS TO MINIMIZE THE ADVERSE IMPACT ON SMALL ENTITIES:**

**A. Establishing less stringent compliance or reporting requirements:**

There are no reporting or compliance requirements impacted by the change.

**B. Establishing less stringent schedules or deadlines for compliance or report:**

There are no compliance issues impacted by the change.

**C. Consolidating or simplifying compliance or reporting requirements:**

There are no compliance or reporting issues impacted by the change.

**D. Establishing performance standards that replace design or operational standards required in the proposed rule:**

There are no performance standards impacted by the change.

**E. Exempting small entities from all or part of the rule's requirements:**

There are no entities impacted by the change.

## **SMALL ENTITY ECONOMIC IMPACT STATEMENT**

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(3) of the NDCC.

Based on our analysis of this rule there is no need to complete a Small Entity Economic Impact Statement as there is not an adverse impact.

## **WORKFORCE SAFETY & INSURANCE** **ADMINISTRATIVE RULE** **FISCAL NOTE**

**ADMINISTRATIVE RULE NO:** 92-01-02-29.3

**ADMINISTRATIVE RULE TITLE:** Motor Vehicle Purchase and Modification.

**SUMMARY OF PROPOSED RULE:** The purpose of the proposed amendment to Administrative Code Section 92-01-02-29.3, relating to motor vehicle purchase and modification is to further streamline and clarify the criteria that must be met for the organization's approval.

**FISCAL IMPACT:** No fiscal impact.

**DATE:** July 31, 2025

## **REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-29.4

**Title of Section:** Home Modifications.

**GENERAL:** The following analysis is submitted in compliance with section 28-32-08 of the NDCC.

This rule is not expected to impact the regulated community in excess of \$50,000.

## **SMALL ENTITY REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-29.4

**Title of Section:** Home Modifications.

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(2) of the NDCC.

### **POSSIBLE WAYS TO MINIMIZE THE ADVERSE IMPACT ON SMALL ENTITIES:**

**A. Establishing less stringent compliance or reporting requirements:**

There are no reporting or compliance requirements impacted by the change.

**B. Establishing less stringent schedules or deadlines for compliance or report:**

There are no compliance issues impacted by the change.

**C. Consolidating or simplifying compliance or reporting requirements:**

There are no compliance or reporting issues impacted by the change.

**D. Establishing performance standards that replace design or operational standards required in the proposed rule:**

There are no performance standards impacted by the change.

**E. Exempting small entities from all or part of the rule's requirements:**

There are no entities impacted by the change.

## **SMALL ENTITY ECONOMIC IMPACT STATEMENT**

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(3) of the NDCC.

Based on our analysis of this rule there is no need to complete a Small Entity Economic Impact Statement as there is not an adverse impact.

## **WORKFORCE SAFETY & INSURANCE** **ADMINISTRATIVE RULE** **FISCAL NOTE**

**ADMINISTRATIVE RULE NO:** 92-01-02-29.4

**ADMINISTRATIVE RULE TITLE:** Home Modifications.

**SUMMARY OF PROPOSED RULE:** The purpose of the proposed amendment to Administrative Code Section 92-01-02-29.4, relating to home modifications is to further streamline and clarify the criteria that must be met for the organization's approval.

**FISCAL IMPACT:** No fiscal impact.

**DATE:** July 31, 2025

## **REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-29.5

**Title of Section:** Power Mobility Devices.

**GENERAL:** The following analysis is submitted in compliance with section 28-32-08 of the NDCC.

This rule is not expected to impact the regulated community in excess of \$50,000.

## **SMALL ENTITY REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-29.5

**Title of Section:** Power Mobility Devices.

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(2) of the NDCC.

### **POSSIBLE WAYS TO MINIMIZE THE ADVERSE IMPACT ON SMALL ENTITIES:**

**A. Establishing less stringent compliance or reporting requirements:**

There are no reporting or compliance requirements impacted by the change.

**B. Establishing less stringent schedules or deadlines for compliance or report:**

There are no compliance issues impacted by the change.

**C. Consolidating or simplifying compliance or reporting requirements:**

There are no compliance or reporting issues impacted by the change.

**D. Establishing performance standards that replace design or operational standards required in the proposed rule:**

There are no performance standards impacted by the change.

**E. Exempting small entities from all or part of the rule's requirements:**

There are no entities impacted by the change.

## **SMALL ENTITY ECONOMIC IMPACT STATEMENT**

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(3) of the NDCC.

Based on our analysis of this rule there is no need to complete a Small Entity Economic Impact Statement as there is not an adverse impact.

## **WORKFORCE SAFETY & INSURANCE** **ADMINISTRATIVE RULE** **FISCAL NOTE**

**ADMINISTRATIVE RULE NO:** 92-01-02-29.5

**ADMINISTRATIVE RULE TITLE:** Power Mobility Devices.

**SUMMARY OF PROPOSED RULE:** The purpose of the proposed amendment to Administrative Code Section 92-01-02-29.5, relating to power mobility devices is to further streamline and clarify the criteria that must be met for the organization's approval.

**FISCAL IMPACT:** No fiscal impact.

**DATE:** July 31, 2025

## **REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-29.6

**Title of Section:** Footwear.

**GENERAL:** The following analysis is submitted in compliance with section 28-32-08 of the NDCC.

This rule is not expected to impact the regulated community in excess of \$50,000.

## **SMALL ENTITY REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-29.6

**Title of Section:** Footwear.

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(2) of the NDCC.

### **POSSIBLE WAYS TO MINIMIZE THE ADVERSE IMPACT ON SMALL ENTITIES:**

**A. Establishing less stringent compliance or reporting requirements:**

There are no reporting or compliance requirements impacted by the change.

**B. Establishing less stringent schedules or deadlines for compliance or report:**

There are no compliance issues impacted by the change.

**C. Consolidating or simplifying compliance or reporting requirements:**

There are no compliance or reporting issues impacted by the change.

**D. Establishing performance standards that replace design or operational standards required in the proposed rule:** There are no performance standards impacted by the change.

**E. Exempting small entities from all or part of the rule's requirements:**

There are no entities impacted by the change.



## **SMALL ENTITY ECONOMIC IMPACT STATEMENT**

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(3) of the NDCC.

Based on our analysis of this rule there is no need to complete a Small Entity Economic Impact Statement as there is not an adverse impact.

## **WORKFORCE SAFETY & INSURANCE** **ADMINISTRATIVE RULE** **FISCAL NOTE**

**ADMINISTRATIVE RULE NO:** 92-01-02-29.6

**ADMINISTRATIVE RULE TITLE:** Footwear.

**SUMMARY OF PROPOSED RULE:** The purpose of the proposed amendment to Administrative Code Section 92-01-02-29.6, relating to footwear is to further streamline and clarify the criteria that must be met for the organization's approval.

**FISCAL IMPACT:** No fiscal impact.

**DATE:** July 31, 2025

## **REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-29.7

**Title of Section:** Prosthetics.

**GENERAL:** The following analysis is submitted in compliance with section 28-32-08 of the NDCC.

This rule is not expected to impact the regulated community in excess of \$50,000.

## **SMALL ENTITY REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-29.7

**Title of Section:** Prosthetics.

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(2) of the NDCC.

### **POSSIBLE WAYS TO MINIMIZE THE ADVERSE IMPACT ON SMALL ENTITIES:**

**A. Establishing less stringent compliance or reporting requirements:**

There are no reporting or compliance requirements impacted by the change.

**B. Establishing less stringent schedules or deadlines for compliance or report:**

There are no compliance issues impacted by the change.

**C. Consolidating or simplifying compliance or reporting requirements:**

There are no compliance or reporting issues impacted by the change.

**D. Establishing performance standards that replace design or operational standards required in the proposed rule:**

There are no performance standards impacted by the change.

**E. Exempting small entities from all or part of the rule's requirements:**

There are no entities impacted by the change.

## **SMALL ENTITY ECONOMIC IMPACT STATEMENT**

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(3) of the NDCC.

Based on our analysis of this rule there is no need to complete a Small Entity Economic Impact Statement as there is not an adverse impact.

## **WORKFORCE SAFETY & INSURANCE** **ADMINISTRATIVE RULE** **FISCAL NOTE**

**ADMINISTRATIVE RULE NO:** 92-01-02-29.7

**ADMINISTRATIVE RULE TITLE:** Prosthetics.

**SUMMARY OF PROPOSED RULE:** The purpose of the proposed amendment to Administrative Code Section 92-01-02-29.7, relating to prosthetics is to further streamline and clarify the criteria that must be met for the organization's approval.

**FISCAL IMPACT:** No fiscal impact.

**DATE:** July 31, 2025

## **REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-31

**Title of Section:** Medical Services – Who May Be Reimbursed

**GENERAL:** The following analysis is submitted in compliance with section 28-32-08 of the NDCC.

This rule is not expected to impact the regulated community in excess of \$50,000.

## **SMALL ENTITY REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-31

**Title of Section:** Medical Services – Who May Be Reimbursed.

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(2) of the NDCC.

### **POSSIBLE WAYS TO MINIMIZE THE ADVERSE IMPACT ON SMALL ENTITIES:**

**A. Establishing less stringent compliance or reporting requirements:**  
There are less reporting or compliance requirements impacted by the change.

**B. Establishing less stringent schedules or deadlines for compliance or report:** There are less compliance issues impacted by the change.

**C. Consolidating or simplifying compliance or reporting requirements:**  
There are less compliance or reporting issues impacted by the change.

**D. Establishing performance standards that replace design or operational standards required in the proposed rule:** There are less performance standards impacted by the change.

**E. Exempting small entities from all or part of the rule's requirements:**  
There are minimal entities impacted by the change.

## **SMALL ENTITY ECONOMIC IMPACT STATEMENT**

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(3) of the NDCC.

Based on our analysis of this rule there is no need to complete a Small Entity Economic Impact Statement as there is not an adverse impact.

## **WORKFORCE SAFETY & INSURANCE** **ADMINISTRATIVE RULE** **FISCAL NOTE**

**ADMINISTRATIVE RULE NO:** 92-01-02-31

**ADMINISTRATIVE RULE TITLE:** Medical Services – Who May Be Reimbursed.

**SUMMARY OF PROPOSED RULE:** The purpose of the proposed amendment to Administrative Code Section 92-01-02-31, relating to “medical services – who may be reimbursed” is to further clarify a reason for holding a medical service provider ineligible for reimbursement involving a disciplinary action.

**FISCAL IMPACT:** No fiscal impact.

**DATE:** July 31, 2025

## **REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-34

**Title of Section:** Treatment Requiring Authorization, Preservice Review, and Retrospective Review.

**GENERAL:** The following analysis is submitted in compliance with section 28-32-08 of the NDCC.

This rule is not expected to impact the regulated community in excess of \$50,000.

## **SMALL ENTITY REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-34

**Title of Section:** Treatment Requiring Authorization, Preservice Review, and Retrospective Review.

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(2) of the NDCC.

### **POSSIBLE WAYS TO MINIMIZE THE ADVERSE IMPACT ON SMALL ENTITIES:**

**A. Establishing less stringent compliance or reporting requirements:**

There are no reporting or compliance requirements impacted by the change.

**B. Establishing less stringent schedules or deadlines for compliance or report:**

There are no compliance issues impacted by the change.

**C. Consolidating or simplifying compliance or reporting requirements:**

There are no compliance or reporting issues impacted by the change.

**D. Establishing performance standards that replace design or operational standards required in the proposed rule:**

There are no performance standards impacted by the change.

**E. Exempting small entities from all or part of the rule's requirements:**

There are no entities impacted by the change.

## **SMALL ENTITY ECONOMIC IMPACT STATEMENT**

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(3) of the NDCC.

Based on our analysis of this rule there is no need to complete a Small Entity Economic Impact Statement as there is not an adverse impact.

## **WORKFORCE SAFETY & INSURANCE** **ADMINISTRATIVE RULE** **FISCAL NOTE**

**ADMINISTRATIVE RULE NO:** 92-01-02-34

**ADMINISTRATIVE RULE TITLE:** Treatment Requiring Authorization, Preservice Review, and Retrospective Review.

**SUMMARY OF PROPOSED RULE:** The purpose of the proposed amendment to Administrative Code Section 92-01-02-34, relating to medical treatment requiring preservice review is to insert the standardized term “prior authorization” to be requested by medical service providers.

**FISCAL IMPACT:** No fiscal impact.

**DATE:** July 31, 2025

## **REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-41

**Title of Section:** Independent Medical Examinations – Definitions.

**GENERAL:** The following analysis is submitted in compliance with section 28-32-08 of the NDCC.

This rule is not expected to impact the regulated community in excess of \$50,000.

## **SMALL ENTITY REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-41

**Title of Section:** Independent Medical Examinations – Definitions.

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(2) of the NDCC.

### **POSSIBLE WAYS TO MINIMIZE THE ADVERSE IMPACT ON SMALL ENTITIES:**

**A. Establishing less stringent compliance or reporting requirements:**

There are no reporting or compliance requirements impacted by the change.

**B. Establishing less stringent schedules or deadlines for compliance or report:**

There are no compliance issues impacted by the change.

**C. Consolidating or simplifying compliance or reporting requirements:**

There are no compliance or reporting issues impacted by the change.

**D. Establishing performance standards that replace design or operational standards required in the proposed rule:**

There are no performance standards impacted by the change.

**E. Exempting small entities from all or part of the rule's requirements:**

There are no entities impacted by the change.



## **SMALL ENTITY ECONOMIC IMPACT STATEMENT**

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(3) of the NDCC.

Based on our analysis of this rule there is no need to complete a Small Entity Economic Impact Statement as there is not an adverse impact.

## **WORKFORCE SAFETY & INSURANCE** **ADMINISTRATIVE RULE** **FISCAL NOTE**

**ADMINISTRATIVE RULE NO:** 92-01-02-41

**ADMINISTRATIVE RULE TITLE:** Independent Medical Examinations – Definitions.

**SUMMARY OF PROPOSED RULE:** The purpose of the proposed amendment to Administrative Code Section 92-01-02-41, relating to independent medical examinations is to remove unnecessary language.

**FISCAL IMPACT:** No fiscal impact.

**DATE:** July 31, 2025

## **REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-45.1

**Title of Section:** Medical Service Provider Responsibilities and Billings.

**GENERAL:** The following analysis is submitted in compliance with section 28-32-08 of the NDCC.

This rule is not expected to impact the regulated community in excess of \$50,000.

## **SMALL ENTITY REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-45.1

**Title of Section:** Medical Service Provider Responsibilities and Billings.

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(2) of the NDCC.

### **POSSIBLE WAYS TO MINIMIZE THE ADVERSE IMPACT ON SMALL ENTITIES:**

**A. Establishing less stringent compliance or reporting requirements:**

There are no reporting or compliance requirements impacted by the change.

**B. Establishing less stringent schedules or deadlines for compliance or report:**

There are no compliance issues impacted by the change.

**C. Consolidating or simplifying compliance or reporting requirements:**

There are no compliance or reporting issues impacted by the change.

**D. Establishing performance standards that replace design or operational standards required in the proposed rule:**

There are no performance standards impacted by the change.

**E. Exempting small entities from all or part of the rule's requirements:**

There are no entities impacted by the change.

## **SMALL ENTITY ECONOMIC IMPACT STATEMENT**

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(3) of the NDCC.

Based on our analysis of this rule there is no need to complete a Small Entity Economic Impact Statement as there is not an adverse impact.

## **WORKFORCE SAFETY & INSURANCE** **ADMINISTRATIVE RULE** **FISCAL NOTE**

**ADMINISTRATIVE RULE NO:** 92-01-02-45.1

**ADMINISTRATIVE RULE TITLE:** Medical Service Provider Responsibilities and Billings.

**SUMMARY OF PROPOSED RULE:** The purpose of the proposed amendment to Administrative Code Section 92-01-02-45.1, relating to medical service provider responsibilities and billings is to remove the requirement of a social security number, remove some billing requirements, and to outline the copying charges paid by the organization when requesting records for the coordination of a benefits determination.

**FISCAL IMPACT:** No significant fiscal impact is anticipated.

**DATE:** July 31, 2025

## **REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-46

**Title of Section:** Medical Services Disputes.

**GENERAL:** The following analysis is submitted in compliance with section 28-32-08 of the NDCC.

This rule is not expected to impact the regulated community in excess of \$50,000.

## **SMALL ENTITY REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-02-46

**Title of Section:** Medical Services Disputes.

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(2) of the NDCC.

### **POSSIBLE WAYS TO MINIMIZE THE ADVERSE IMPACT ON SMALL ENTITIES:**

- A. Establishing less stringent compliance or reporting requirements:**  
There are no reporting or compliance requirements impacted by the change.
- B. Establishing less stringent schedules or deadlines for compliance or report:** There are no compliance issues impacted by the change.
- C. Consolidating or simplifying compliance or reporting requirements:**  
There are no compliance or reporting issues impacted by the change.
- D. Establishing performance standards that replace design or operational standards required in the proposed rule:** There are no performance standards impacted by the change.
- E. Exempting small entities from all or part of the rule's requirements:**  
There are no entities impacted by the change.

## **SMALL ENTITY ECONOMIC IMPACT STATEMENT**

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(3) of the NDCC.

Based on our analysis of this rule there is no need to complete a Small Entity Economic Impact Statement as there is not an adverse impact.

## **WORKFORCE SAFETY & INSURANCE** **ADMINISTRATIVE RULE** **FISCAL NOTE**

**ADMINISTRATIVE RULE NO:** 92-01-02-46

**ADMINISTRATIVE RULE TITLE:** Medical Services Disputes.

**SUMMARY OF PROPOSED RULE:** The purpose of the proposed amendment to Administrative Code Section 92-01-02-46, relating to medical services disputes is to replace the term “preauthorization” with “prior authorization.”

**FISCAL IMPACT:** No fiscal impact.

**DATE:** July 31, 2025

## **REGULATORY ANALYSIS OF AMENDED RULE**

**NEW Section:** 92-01-02-49.2

**Title of Section:** Attorney Fee Reimbursement for Employers.

**GENERAL:** The following analysis is submitted in compliance with section 28-32-08 of the NDCC.

This rule is not expected to impact the regulated community in excess of \$50,000.

## **SMALL ENTITY REGULATORY ANALYSIS OF AMENDED RULE**

**NEW Section:** 92-01-02-49.2

**Title of Section:** Attorney Fee Reimbursement for Employers.

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(2) of the NDCC.

### **POSSIBLE WAYS TO MINIMIZE THE ADVERSE IMPACT ON SMALL ENTITIES:**

- A. Establishing less stringent compliance or reporting requirements:** There are no reporting or compliance requirements impacted by the change.
- B. Establishing less stringent schedules or deadlines for compliance or report:** There are no compliance issues impacted by the change.
- C. Consolidating or simplifying compliance or reporting requirements:** There are no compliance or reporting issues impacted by the change.
- D. Establishing performance standards that replace design or operational standards required in the proposed rule:** There are no performance standards impacted by the change.
- E. Exempting small entities from all or part of the rule's requirements:** There are no entities impacted by the change.

## **SMALL ENTITY ECONOMIC IMPACT STATEMENT**

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(3) of the NDCC.

Based on our analysis of this rule there is no need to complete a Small Entity Economic Impact Statement as there is not an adverse impact.

## **WORKFORCE SAFETY & INSURANCE** **ADMINISTRATIVE RULE** **FISCAL NOTE**

**NEW ADMINISTRATIVE RULE NO:** 92-01-02-49.2

**ADMINISTRATIVE RULE TITLE:** Attorney Fee Reimbursement for Employers.

**SUMMARY OF PROPOSED RULE:** The purpose of the proposed creation of Administrative Code Section 92-01-02-49.2, is to outline criteria for attorney fee reimbursement for employers.

**FISCAL IMPACT:** No fiscal impact anticipated.

**DATE:** July 31, 2025

## **REGULATORY ANALYSIS OF AMENDED RULE**

**NEW Section:** 92-01-02-58

**Title of Section:** Premium Credit for Military Members.

**GENERAL:** The following analysis is submitted in compliance with section 28-32-08 of the NDCC.

This rule is not expected to impact the regulated community in excess of \$50,000.

## **SMALL ENTITY REGULATORY ANALYSIS OF AMENDED RULE**

**NEW Section:** 92-01-02-58

**Title of Section:** Premium Credit for Military Members.

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(2) of the NDCC.

### **POSSIBLE WAYS TO MINIMIZE THE ADVERSE IMPACT ON SMALL ENTITIES:**

- A. Establishing less stringent compliance or reporting requirements:** There are minimal reporting or compliance requirements impacted by the change.
- B. Establishing less stringent schedules or deadlines for compliance or report:** There are minimal compliance issues impacted by the change.
- C. Consolidating or simplifying compliance or reporting requirements:** There are minimal compliance or reporting issues impacted by the change.
- D. Establishing performance standards that replace design or operational standards required in the proposed rule:** There are minimal performance standards impacted by the change.
- E. Exempting small entities from all or part of the rule's requirements:** There are minimal entities impacted by the change.



## **SMALL ENTITY ECONOMIC IMPACT STATEMENT**

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(3) of the NDCC.

Based on our analysis of this rule there is no need to complete a Small Entity Economic Impact Statement as there is not an adverse impact.

## **WORKFORCE SAFETY & INSURANCE** **ADMINISTRATIVE RULE** **FISCAL NOTE**

**NEW ADMINISTRATIVE RULE NO:** 92-01-02-58

**ADMINISTRATIVE RULE TITLE:** Premium Credit for Military Members.

**SUMMARY OF PROPOSED RULE:** The purpose of the proposed creation of Administrative Code Section 92-01-02-58, is to outline the application process for approval of a one-time premium credit for an active member of the N.D. National Guard or armed forces, a veteran, or a surviving spouse of a veteran.

**FISCAL IMPACT:** No fiscal impact anticipated.

**DATE:** July 31, 2025

## **REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-03-04

**Title of Section:** Procedure for Dispute Resolution.

**GENERAL:** The following analysis is submitted in compliance with section 28-32-08 of the NDCC.

This rule is not expected to impact the regulated community in excess of \$50,000.

## **SMALL ENTITY REGULATORY ANALYSIS OF AMENDED RULE**

**Section:** 92-01-03-04

**Title of Section:** Procedure for Dispute Resolution.

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(2) of the NDCC.

### **POSSIBLE WAYS TO MINIMIZE THE ADVERSE IMPACT ON SMALL ENTITIES:**

- A. Establishing less stringent compliance or reporting requirements:**  
There are no reporting or compliance requirements impacted by the change.
- B. Establishing less stringent schedules or deadlines for compliance or report:** There are no compliance issues impacted by the change.
- C. Consolidating or simplifying compliance or reporting requirements:**  
There are no compliance or reporting issues impacted by the change.
- D. Establishing performance standards that replace design or operational standards required in the proposed rule:** There are no performance standards impacted by the change.
- E. Exempting small entities from all or part of the rule's requirements:** There are no entities impacted by the change.

## **SMALL ENTITY ECONOMIC IMPACT STATEMENT**

**GENERAL:** The following analysis is submitted in compliance with §28-32-08.1(3) of the NDCC.

Based on our analysis of this rule there is no need to complete a Small Entity Economic Impact Statement as there is not an adverse impact.

## **WORKFORCE SAFETY & INSURANCE** **ADMINISTRATIVE RULE** **FISCAL NOTE**

**ADMINISTRATIVE RULE NO:** 92-01-03-04

**ADMINISTRATIVE RULE TITLE:** Procedure for Dispute Resolution.

**SUMMARY OF PROPOSED RULE:** The purpose of the proposed amendment to Administrative Code Section 92-01-03-04, relating to the Decision Review Office is to expand the issuance of the certificate of completion and correspondence by electronic means.

**FISCAL IMPACT:** No fiscal impact.

**DATE:** July 31, 2025