



HEALTH CARE COMMITTEE

Thursday, September 15, 2022
Roughrider Room, State Capitol
Bismarck, North Dakota

Representative Robin Weisz, Chairman, called the meeting to order at 9:00 a.m.

Members present: Representatives Robin Weisz, Pamela Anderson, Mike Beltz, Gretchen Dobervich, Clayton Fegley, Zachary Ista, Jim Kasper, Lisa Meier, Marvin E. Nelson, Bob Paulson, Karen M. Rohr, Greg Westlund; Senators Howard C. Anderson, Jr., Tim Mathern, Dave Oehlke

Members absent: Representative Ruth Buffalo; Senator Kristin Roers

Others present: See [Appendix A](#)

It was moved by Senator Mathern, seconded by Representative Meier, and carried on a voice vote that the minutes of the June 16, 2022, meeting be approved as distributed.

TELEHEALTH STUDY

Ms. Sydne Enlund, Senior Policy Specialist, National Council of State Legislators, provided information ([Appendix B](#)) relating to the provision of telehealth services. She noted she would provide the committee with followup information regarding billing codes used for telehealth and telehealth utilization by Medicaid and Medicare.

Mr. Brad Gibbens, MPA, Acting Director, Center for Rural Health, and Assistant Professor, University of North Dakota School of Medicine and Health Sciences, provided information ([Appendix C](#)) relating to rural barriers to telehealth.

Mr. Duane Schell, Chief Technology Officer, Information Technology Department, provided information ([Appendix D](#)) relating to broadband and digital literacy in rural North Dakota.

MEDICATION OPTIMIZATION STUDY AND ESSENTIAL HEALTH BENEFITS REPORT

Mr. Jon Godfread, Insurance Commissioner, summarized the Insurance Department's activities in studying essential health benefits, including medication optimization. He noted:

- The department received a federal grant to study the state's essential health benefits.
- During the upcoming legislative session, he would like a legislative directive regarding whether to modify the state's benchmark plan under the federal Affordable Care Act.

Ms. Jennifer Hammer, President, JWHammer, LLC, the Insurance Department's consultant in conducting the essential health benefits study, provided information ([Appendix E](#)) regarding a report ([Appendix F](#)) on essential health benefits, including medication optimization, and the document "Get the Medication Right: A Blueprint for Change" by GTMRx Institute ([Appendix G](#)). She noted she will provide the committee with additional information regarding the return on investment expected to result from implementing medication optimization.

The committee discussed the importance of reimbursing pharmacists for services if medication optimization is mandated.

HEALTH INSURANCE MANDATES

Mr. John Arnold, Deputy Commissioner, Insurance Department, provided information ([Appendix H](#)) regarding the request for proposal recommendations for health insurance mandate cost benefit analyses as provided under North Dakota Century Code Section 54-03-28. He noted the department recommends the Legislative Management contract with NovaRest.

It was moved by Representative Kasper, seconded by Representative Rohr, and carried on a roll call vote that the committee accept the cost-benefit analysis consultant recommendation of the Insurance Department, and recommend the Legislative Management contract with NovaRest to perform the health insurance mandate cost-benefit analyses for the 2023 legislative session. Representatives Weisz, Anderson, Beltz, Dobervich, Fegley, Ista, Kasper, Meier, Nelson, Paulson, Rohr, and Westlind and Senators Anderson, Mathern, and Oehlke voted "aye." No negative votes were cast.

PRESCRIPTION DRUG STUDY

Prescription Drug Reference Rate Pilot Program

The committee reviewed a bill draft [\[23.0092.01000\]](#) providing for the implementation of a prescription drug reference rate pilot program.

Representative Meier summarized the need for prescription drug price reform.

Ms. Jennifer S. N. Clark, Senior Counsel and Code Revisor, Legislative Council, reviewed the bill draft providing for a prescription drug reference rate pilot program.

Mr. Josh Askvig, State Director, AARP of North Dakota, provided testimony ([Appendix I](#)) in support of the bill draft providing for a prescription drug reference rate pilot program.

Ms. Kathi Schwan, Volunteer State President, AARP of North Dakota, provided testimony ([Appendix J](#)) in support of the bill draft providing for a prescription drug reference rate pilot program.

Ms. Shauna Gardner, Director of State Policy, Midwest Region, PhRMA, provided testimony ([Appendix K](#)) in opposition to the bill draft providing for a prescription drug reference rate pilot program.

Ms. Kirsten Dvorak, Executive Director, The Arc of North Dakota, provided testimony ([Appendix L](#)) in opposition to the bill draft providing for a prescription drug reference rate pilot program.

Ms. Andrea Phennig, Executive Director, Greater North Dakota Chamber, testified in opposition to the bill draft providing for a prescription drug reference rate pilot program.

Ms. Lacey Anderson, representing Healthcare Distribution Alliance, requested the committee consider removing drug distributors from the bill draft.

It was moved by Representative Meier, seconded by Senator Anderson, and carried on a roll call vote that the bill draft [\[23.0092.01000\]](#) relating to a prescription drug reference rate pilot program be approved and recommended to the Legislative Management. Representatives Weisz, Anderson, Beltz, Dobervich, Fegley, Ista, Kasper, Meier, Nelson, Rohr, and Westlind and Senators Anderson and Mathern voted "aye." Representative Paulson and Senator Oehlke voted "nay."

Prescription Drug Value-Based Purchasing

The committee reviewed two bill drafts [\[23.0104.01000\]](#) and [\[23.0172.01000\]](#) providing for utilization of value-based prescription drug purchasing.

Ms. Samantha E. Kramer, Senior Counsel and Assistant Code Revisor, Legislative Council, reviewed the bill draft [\[23.0104.01000\]](#) providing for value-based purchasing.

Senator Anderson reviewed the bill draft [\[23.0172.01000\]](#) relating to medical assistance utilization of value-based purchasing for prescription drugs.

It was moved by Senator Mathern, seconded by Senator Anderson, and carried on a roll call vote to amend the bill draft [\[23.0104.01000\]](#) providing for a study of value-based purchasing to include the provisions of the bill draft [\[23.0172.01000\]](#) relating to medical assistance utilization of value-based purchasing for prescription drugs. Representatives Weisz, Anderson, Beltz, Dobervich, Fegley, Ista, Kasper, Meier, Nelson, Paulson, Rohr, and Westlind and Senators Anderson, Mathern, and Oehlke voted "aye." No negative votes were cast.

It was moved by Senator Anderson, seconded by Representative Dobervich, and carried on a roll call vote that the bill draft [\[23.0104.01000\]](#), as amended, relating to value-based purchasing for prescription drugs be approved and recommended to the Legislative Management. Representatives Weisz, Anderson, Beltz, Dobervich, Fegley, Ista, Kasper, Meier, Nelson, Paulson, Rohr, and Westlind and Senators Anderson, Mathern, and Oehlke voted "aye." No negative votes were cast.

COMMUNITY HEALTH WORKER STUDY

The committee reviewed two bill drafts [[23.0069.01000](#) and [23.0103.02000](#)] relating to implementation of community health worker education, certification, and reimbursement.

Representative Dobervich reviewed the bill draft [[23.0069.01000](#)] providing for creation of a community health worker task force.

Senator Anderson reviewed the bill draft [[23.0103.02000](#)] providing for certification and Medicaid reimbursement of community health workers.

Mr. Gibbens provided testimony ([Appendix M](#)) regarding community health workers.

Ms. Marnie Walth, Sanford Health, introduced Ms. Wendy Schmidt, Learning and Development Specialist, Sanford Health, who provided testimony ([Appendix N](#)) in support of community health workers.

Ms. Krista Fremming, Assistant Director, Medical Services, Department of Health and Human Services, provided testimony ([Appendix O](#)) regarding the additional information needed regarding community health workers.

Mr. Tim Blasl, President, North Dakota Hospital Association, testified in support of the bill draft providing for certification and Medicaid reimbursement of community health workers.

It was moved by Senator Mathern, seconded by Representative Anderson, and carried on a roll call vote that the bill draft [[23.0069.01000](#)] relating to creation of a community health worker task force be approved and recommended to the Legislative Management. Representatives Weisz, Anderson, Beltz, Dobervich, Ista, Meier, Nelson, and Westlind and Senators Anderson, Mathern, and Oehlke voted "aye." Representatives Fegley, Kasper, Paulson, and Rohr voted "nay."

It was moved by Senator Mathern, seconded by Senator Anderson, and carried on a roll call vote that the bill draft [[23.0103.02000](#)] relating to certification and Medicaid reimbursement of community health workers be approved and recommended to the Legislative Management. Representatives Weisz, Anderson, Beltz, Dobervich, Fegley, Ista, Kasper, Meier, Nelson, Paulson, Rohr, and Westlind and Senators Anderson, Mathern, and Oehlke voted "aye." No negative votes were cast.

HEALTH INSURANCE NETWORK STUDY

The committee provided an opportunity for committee discussion and comments by interested persons regarding the health insurance network study.

It was moved by Representative Meier, seconded by Representative Dobervich, and carried on a voice vote that the Chairman and the Legislative Council staff be requested to prepare a report and the bill drafts recommended by the committee and to present the report and recommended bill drafts to the Legislative management.

It was moved by Representative Beltz, seconded by Representative Paulson, and carried on a voice vote that the committee be adjourned sine die.

No further business appearing, Chairman Weisz adjourned the committee sine die at 2:45 p.m.

Jennifer S. N. Clark
Senior Counsel and Code Revisor

Samantha E. Kramer
Senior Counsel and Assistant Code Revisor

ATTACH:15