

**FIRST ENGROSSMENT
with House Amendments
ENGROSSED SENATE BILL NO. 2341**

Introduced by

Senators Davison, K. Roers

1 A BILL for an Act to create and enact a new section to chapter 54-52.1 of the North Dakota
2 Century Code, relating to access to public employees retirement system uniform group
3 insurance data; to amend and reenact section 54-52.1-05.1 of the North Dakota Century Code,
4 relating to access to insured and provider health insurance benefits coverage data; and to
5 declare an emergency.

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

7 **SECTION 1. AMENDMENT.** Section 54-52.1-05.1 of the North Dakota Century Code is
8 amended and reenacted as follows:

9 **54-52.1-05.1. Health insurance benefits coverage - Insured and provider data**
10 **disclosure.**

11 Except as necessary for treatment, payment, or health care operations, a carrier providing
12 health insurance benefits coverage under this chapter may not disclose identifiable or
13 unidentifiable insured or provider data or information to a related or unrelated health care
14 delivery entity. The board may establish exceptions to the disclosure limitations under this
15 section for the limited purpose of addressing public interest and benefit activities ~~or~~; for the
16 limited purpose of addressing research, public health, or health care operations; or for the
17 solicitation of bids pursuant to section 54-52.1-04. An exception established by the board under
18 this section may not be more permissive than allowed under state and federal privacy laws.

19 **SECTION 2.** A new section to chapter 54-52.1 of the North Dakota Century Code is created
20 and enacted as follows:

21 **Health insurance utilization reports.**

22 Upon request by a political subdivision that receives benefits under the uniform group
23 insurance program, the board shall provide that political subdivision with a health insurance
24 utilization report that is substantively the same as a report required under subsection 1 of

1 section 26.1-36.4-09. The board shall provide the report in a manner that is in compliance with
2 the federal Health Insurance Portability and Accountability Act of 1996 [Pub. L. 104-191; 110
3 Stat. 1936; 29 U.S.C. 1181 et seq.].

4 **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.