

Introduced by

Human Services Committee

(At the request of the Department of Human Services)

1 A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota
2 Century Code, relating to the use of an automated clearing house to facilitate payment to
3 medical assistance providers and provider applicants; ~~and~~ to amend and reenact sections
4 ~~50-24.1-06~~, 50-24.1-26, and 50-24.1-32 of the North Dakota Century Code, relating to ~~remedial~~
5 ~~eye care~~, Medicaid waivers to provide in-home services; and medical assistance and advanced
6 practice registered nurses; and to repeal section 50-24.1-06 of the North Dakota Century Code,
7 relating to remedial eye care.

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

9 ~~— **SECTION 1. AMENDMENT.** Section 50-24.1-06 of the North Dakota Century Code is~~
10 ~~amended and reenacted as follows:~~
11 ~~— **50-24.1-06. Remedial eye care -- When provided.**~~
12 ~~— OnWithin the limits of legislative appropriation and on the basis of the findings of an~~
13 ~~examination made by an ophthalmologist, optometrist, or physician skilled in the diseases of the~~
14 ~~eye, recommended remedial eye care services must be provided to any individual under the~~
15 ~~age of sixty-five who is in need of remedial eye care services if the individual is not blind as~~
16 ~~defined under title XVI of the Social Security Act [42 U.S.C. 1381 et seq.], and the individual is~~
17 ~~otherwise qualified for assistance under this chapter. Except for services furnished in a medical~~
18 ~~emergency, the department may not pay for recommended remedial eye care services unless~~
19 ~~the individual receiving those services first applies for and receives authorization from the~~
20 ~~department. As used in this section, "remedial eye care services" mean services to prevent~~
21 ~~blindness or to restore an individual's eyesight, but does not include treatment of diseases~~
22 ~~causing an impairment or a loss of eyesight, such as diabetes and high blood pressure,~~
23 ~~ordinary eye examinations, eye glasses, physical examinations, or travel and other expenses~~
24 ~~necessary to receive treatment.~~

1 **SECTION 1. AMENDMENT.** Section 50-24.1-26 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **50-24.1-26. Medicaid waivers - In-home services.**

4 The department shall administer Medicaid waivers to provide in-home services to children
5 with extraordinary medical needs and to children up to the age of ~~fourteen~~sixteen diagnosed
6 with an autism spectrum disorder who would otherwise meet institutional level of care. The
7 department may prioritize applicants for the waiver for children with extraordinary medical
8 needs by degree of need.

9 **SECTION 2. AMENDMENT.** Section 50-24.1-32 of the North Dakota Century Code is
10 amended and reenacted as follows:

11 **50-24.1-32. Medical assistance - Services provided by physician assistants and**
12 **advanced practice registered nurse-practitioners~~nurses~~.**

13 The medical assistance program must recognize physician assistants and advanced
14 practice registered nurse-practitioners~~nurses with the roles of nurse practitioner or certified~~
15 nurse midwife as primary care providers with the same rights and responsibilities given primary
16 care physicians under the medical assistance program. Any care provided by the physician
17 assistant or advanced practice registered nurse-practitioner~~nurse with the roles of nurse~~
18 practitioner or certified nurse midwife as a primary care provider under the medical assistance
19 program must be within the scope of the physician assistant's or advanced practice registered
20 nurse-practitioner's~~nurse's~~ respective license.

21 **SECTION 3.** A new section to chapter 50-24.1 of the North Dakota Century Code is created
22 and enacted as follows:

23 **Automated clearing house payments to medical assistance providers and provider**
24 **applicants.**

25 The department shall provide payment to medical assistance providers and may provide
26 payments to provider applicants using an automated clearing house to provide for electronic
27 fund transfers. To receive payment, medical assistance providers and provider applicants shall
28 provide sufficient documentation to enable the department to provide electronic funds transfers
29 through an automated clearing house. No other forms of payment are permitted.

30 **SECTION 4. REPEAL.** Section 50-24.1-06 of the North Dakota Century Code is repealed.