

Sixty-eighth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1413

Introduced by

Representatives Karls, Kiefert, Rohr, Satrom, Steiner

Senator Dever

1 A BILL ~~for an Act to create and enact a new section to chapter 26.1-36 of the North Dakota~~
2 ~~Century Code, relating to out-of-pocket expenses for health care services.~~ for an Act to provide
3 for a legislative management study relating to accumulator adjustment programs.

4 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

5 ~~SECTION 1. A new section to chapter 26.1-36 of the North Dakota Century Code is created~~
6 ~~and enacted as follows:~~

7 ~~Out-of-pocket expenses - Health care services.~~

8 ~~1. As used in this section:~~

9 ~~a. "Cost sharing" means any coinsurance or deductible under a policy.~~

10 ~~b. "Enrollee" means an individual entitled to health care services under a policy.~~

11 ~~c. "Health care services" means items or services furnished to an enrollee for the~~
12 ~~purpose of preventing, alleviating, curing, or healing human illness, injury, or~~
13 ~~physical disability.~~

14 ~~d. "Policy" means an accident and health insurance policy, contract, or evidence of~~
15 ~~coverage on a group, individual, blanket, franchise, or association basis.~~

16 ~~2. To the extent permitted by federal law and regulation, an insurer may not deliver,~~
17 ~~issue, execute, or renew a policy that provides health care services coverage unless~~
18 ~~that policy provides when calculating an enrollee's overall contribution to any~~
19 ~~out-of-pocket maximum or any cost-sharing requirement under the policy, the~~
20 ~~calculation must include any amount paid by the enrollee or paid on behalf of the~~
21 ~~enrollee by another person.~~

22 **SECTION 1. LEGISLATIVE MANAGEMENT STUDY - ACCUMULATOR ADJUSTMENT**
23 **PROGRAM BANS.** During the 2023-24 interim, the legislative management shall consider
24 studying the impact of third-party payments and accumulator adjustment programs on North

1 Dakota patients' out-of-pocket costs, medications adherence, and health care systems costs
2 and impacts. The study shall assess health benefit participants' usage and prevalence of third-
3 party payments in North Dakota. The study shall also review data from states with accumulator
4 adjustment program bans since 2019 and shall seek input from all relevant stakeholders in the
5 health care industry. The legislative management shall report its findings and recommendations,
6 together with any proposed legislation required to implement the recommendations, to the sixty-
7 ninth legislative assembly.