

**FIRST ENGROSSMENT
with Senate Amendments**

Fifty-sixth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1039

Introduced by

Legislative Council

(Insurance and Health Care Committee)

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 insurance coverage of ambulance services for prehospital emergency
3 medical services.

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
6 created and enacted as follows:

7 **Health insurance policy and health service contract - Prehospital emergency**
8 **medical services.**

- 9 1. In this section, unless the context or subject matter otherwise requires:
- 10 a. "Emergency medical condition" means a medical condition that manifests
11 itself by symptoms of sufficient severity which may include severe pain and
12 that a prudent layperson who possesses an average knowledge of health and
13 medicine could reasonably expect the absence of medical attention to result
14 in placing the person's health in jeopardy, serious impairment of a bodily
15 function, or serious dysfunction of any body part.
- 16 b. "Prehospital emergency medical services" means a service or its personnel
17 either licensed under chapter 23-27 or certified by the state health
18 department.
- 19 2. An insurance company, nonprofit health service corporation, or health
20 maintenance organization may not deliver, issue, execute, or renew any health
21 insurance policy, health service contract, or evidence of coverage that provides
22 prehospital emergency medical services benefits on an individual, group, blanket,
23 franchise, or association basis unless the policy, contract, or evidence of coverage

- 1 provides prehospital emergency medical services benefits in the case of an
2 emergency medical condition.
- 3 3. The coverage required under this section does not require coverage in excess of
4 policy aggregate limits or internal policy limits dealing specifically with prehospital
5 emergency medical services.
- 6 4. This section does not prevent an insurance company, nonprofit health service
7 corporation, or health maintenance organization from imposing deductibles,
8 coinsurance, or other cost sharing in relation to benefits for prehospital emergency
9 medical services.