

**FIRST ENGROSSMENT  
with Senate Amendments**

Sixtieth  
Legislative Assembly  
of North Dakota

**ENGROSSED HOUSE BILL NO. 1463**

Introduced by

Representatives Porter, Price, Weisz

Senators Fischer, J. Lee

1 A BILL for an Act to amend and reenact subsection 3 of section 50-24.1-02.6 and section  
2 50-29-04 of the North Dakota Century Code, relating to medical assistance eligibility for minors  
3 and eligibility under the state children's health insurance program; to provide a contingent  
4 appropriation; and to provide an effective date.

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

6 **SECTION 1. AMENDMENT.** Subsection 3 of section 50-24.1-02.6 of the North Dakota  
7 Century Code is amended and reenacted as follows:

8 3. The department of human services shall establish income levels for minors, based  
9 on the age of the minors, at amounts, no less than required by federal law, that  
10 provide an income level for all ~~minors born before September 30, 1983, individuals~~  
11 from birth through age eighteen equal to one hundred thirty-three percent of the  
12 federal poverty level in the month for which eligibility for medical assistance  
13 benefits is being determined ~~and that do not exceed legislative appropriations for~~  
14 ~~that purpose.~~

15 **SECTION 2. AMENDMENT.** Section 50-29-04 of the North Dakota Century Code is  
16 amended and reenacted as follows:

17 **50-29-04. Plan requirements.** The plan:

- 18 1. Must be provided through private contracts with insurance carriers;
- 19 2. Must allow conversion to another health insurance policy;
- 20 3. Must be based on an actuarial equivalent of a benchmark plan;
- 21 4. Must incorporate every state-required waiver approved by the federal government;
- 22 5. Must include community-based eligibility outreach services; and
- 23 6. Must provide:

- 1           a. ~~An~~ A net income eligibility limit of one hundred ~~forty~~ fifty percent of the  
2           poverty line;
- 3           b. A copayment requirement for each pharmaceutical prescription and for each  
4           emergency room visit;
- 5           c. A deductible for each inpatient hospital visit;
- 6           d. Coverage for:
- 7               (1) Inpatient hospital, medical, and surgical services;
- 8               (2) Outpatient hospital and medical services;
- 9               (3) Psychiatric and substance abuse services;
- 10              (4) Prescription medications;
- 11              (5) Preventive screening services;
- 12              (6) Preventive dental and vision services; and
- 13              (7) Prenatal services; and
- 14           e. A coverage effective date that is the first day of the month, following the date  
15           of application and determination of eligibility.

16           **SECTION 3. CONTINGENT APPROPRIATION.** If section 1 of this Act does not  
17 become effective and section 2 of this Act does become effective, there is appropriated out of  
18 any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of  
19 \$144,067 and from special funds derived from federal funds and other income \$2,196,987 to  
20 the department of human services for the purpose of defraying the expenses of implementing  
21 the expansion of the state children's health insurance program as described in section 2 of this  
22 Act for the biennium beginning July 1, 2007, and ending June 30, 2009.

23           **SECTION 4. EFFECTIVE DATE.** Section 1 of this Act becomes effective on the date  
24 the department of human services certifies to the legislative council that the department has  
25 received approval to claim federal financial participation to expand medical assistance benefits  
26 to children as described in section 1 of this Act.

27           **SECTION 5. EFFECTIVE DATE.** Section 2 of this Act becomes effective on the date  
28 the department of human services certifies to the legislative council that the federal  
29 reauthorization of the state children's health insurance program resulted in an allotment to the  
30 state in an amount that is sufficient to fund the increase identified in section 2 of this Act.