

Sixty-seventh
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2085

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 50-24.1-26 and 50-24.1-32 of the North Dakota Century Code, relating to Medicaid waivers to
5 provide in-home services and medical assistance and advanced practice registered nurses.

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

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

9 **50-24.1-26. Medicaid waivers - In-home services.**

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

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

17 **50-24.1-32. Medical assistance - Services provided by physician assistants and
18 advanced practice registered nurse ~~practitioners~~nurses.**

19 The medical assistance program must recognize physician assistants and advanced
20 practice registered nurse ~~practitioners~~nurses with the roles of nurse practitioner or certified
21 nurse midwife as primary care providers with the same rights and responsibilities given primary
22 care physicians under the medical assistance program. Any care provided by the physician
23 assistant or advanced practice registered nurse ~~practitioner~~nurse with the roles of nurse
24 practitioner or certified nurse midwife as a primary care provider under the medical assistance

1 program must be within the scope of the physician assistant's or advanced practice registered
2 ~~nurse practitioner's~~nurse's respective license.

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

5 **Automated clearing house payments to medical assistance providers and provider**
6 **applicants.**

7 The department shall provide payment to medical assistance providers and may provide
8 payments to provider applicants using an automated clearing house to provide for electronic
9 fund transfers. To receive payment, medical assistance providers and provider applicants shall
10 provide sufficient documentation to enable the department to provide electronic funds transfers
11 through an automated clearing house. No other forms of payment are permitted.