

**Sixty-seventh Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 5, 2021**

SENATE BILL NO. 2341  
(Senators Davison, K. Roers)

AN ACT to create and enact a new section to chapter 54-52.1 of the North Dakota Century Code, relating to access to public employees retirement system uniform group insurance data; to amend and reenact section 54-52.1-05.1 of the North Dakota Century Code, relating to access to insured and provider health insurance benefits coverage data; and to declare an emergency.

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

**SECTION 1. AMENDMENT.** Section 54-52.1-05.1 of the North Dakota Century Code is amended and reenacted as follows:

**54-52.1-05.1. Health insurance benefits coverage - Insured and provider data disclosure.**

Except as necessary for treatment, payment, or health care operations, a carrier providing health insurance benefits coverage under this chapter may not disclose identifiable or unidentifiable insured or provider data or information to a related or unrelated health care delivery entity. The board may establish exceptions to the disclosure limitations under this section for the limited purpose of addressing public interest and benefit activities ~~or~~; for the limited purpose of addressing research, public health, or health care operations; ~~or for the solicitation of bids pursuant to section 54-52.1-04.~~ An exception established by the board under this section may not be more permissive than allowed under state and federal privacy laws.

**SECTION 2.** A new section to chapter 54-52.1 of the North Dakota Century Code is created and enacted as follows:

**Health insurance utilization reports.**

Upon request by a political subdivision that receives benefits under the uniform group insurance program, the board shall provide that political subdivision with a health insurance utilization report that is substantively the same as a report required under subsection 1 of section 26.1-36.4-09. The board shall provide the report in a manner that is in compliance with the federal Health Insurance Portability and Accountability Act of 1996 [Pub. L. 104-191; 110 Stat. 1936; 29 U.S.C. 1181 et seq.].

**SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-seventh Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2341 and that two-thirds of the members-elect of the Senate voted in favor of said law.

Vote:        Yeas 47                      Nays 0                      Absent 0

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Secretary of the Senate

This certifies that two-thirds of the members-elect of the House of Representatives voted in favor of said law.

Vote:        Yeas 94                      Nays 0                      Absent 0

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2021.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2021.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2021,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State