2023 SENATE STATE AND LOCAL GOVERNMENT

SB 2171

2023 SENATE STANDING COMMITTEE MINUTES

State and Local Government Committee

Room JW216, State Capitol

SB 2171 1/19/2023

Relating to public Employees retirement system health benefits.

10:04 AM Chair Roers opened the hearing. Present: Chair Roers, Vice Chair Barta, Sen Cleary, Sen Estenson, Sen J Lee, and Sen Braunberger.

Discussion Topics:

- New plan
- Team members
- Payroll deduction
- Non-grandfathered plan
- Survey

Molly Herrington, Chief People Officer/Director of OMB (Office Management Budget) Resource Management Services testified in support. #13771.

Scott Miller, Director ND Public Employees Retirement System (NDPERS), testified in a neutral position. #14390, #14389

10:28 AM Chair Roers closed the hearing.

Pam Dever. Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

State and Local Government Committee

Room JW216, State Capitol

SB 2171 1/19/2023

Relating to public employees retirement system health benefits.

11:08 AM Chair Roers opened the meeting. Present: Chair Roers, Vice Chair Barta, Sen Cleary, Sen Estenson, Sen J Lee, and Sen Braunberger.

Discussion Topics:

Bill review

Chair Roers said we need to wait for fiscal note before voting by law.

11:09 AM Chair Roers adjourned the meeting.

Pam Dever, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

State and Local Government Committee

Room JW216, State Capitol

SB 2171 2/3/2023

Relating to public employees retirement system health benefits.

10:25 AM Chair Roers opened committee work. Present: Chair Roers, Vice Chair Barta, Sen Cleary, Sen Estenson, Sen J Lee, and Sen Braunberger.

Discussion Topics:

Committee action

Sen Estenson moved a DO PASS.

Sen Braunberger seconded.

Senators	Vote
Senator Kristin Roers	Υ
Senator Jeff Barta	Υ
Senator Ryan Braunberger	Υ
Senator Sean Cleary	Υ
Senator Judy Estenson	Υ
Senator Judy Lee	Υ

VOTE: YES - 6 NO - 0 Absent - 0 Motion PASSED

Sen Braunberger will carry the bill.

10:27 AM Chair Roers adjourned the meeting.

Pam Dever, Committee Clerk

REPORT OF STANDING COMMITTEE

Module ID: s_stcomrep_22_004

Carrier: Braunberger

SB 2171: State and Local Government Committee (Sen. K. Roers, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2171 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.

2023 HOUSE INDUSTRY, BUSINESS AND LABOR

SB 2171

2023 HOUSE STANDING COMMITTEE MINUTES

Industry, Business and Labor Committee

Room JW327C, State Capitol

SB 2171 3/13/2023

Relating to public employees retirement system health benefits.

Chairman Louser called meeting to order 9:01 AM

Members Present: Chairman Louser, Vice Chairman Ostlie, Representatives Boschee, Dakane, Johnson, Kasper, Koppelman, Ruby, Schauer, Thomas, Tveit, Wagner.

Members absent: Representatives Christy and Warrey.

Discussion Topics:

- Cost share
- Increase margin
- Co-payments
- Grandfathered status
- Annual choice
- Supplemental plans

In Favor:

Molly Herrington, Chief People Officer, Human Resource Management Services, ND Office of Management and Budget, #24133

Neutral:

Rebecca Fricke, Chief Benefits Officer, NDPERS, #23648, #23649

Chairman Louser adjourned the meeting 9:26 AM

Diane Lillis, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Industry, Business and Labor Committee

Room JW327C, State Capitol

SB 2171 3/13/2023

Relating to public employees retirement system health benefits.

Chairman Louser called meeting to order 11:06 AM

Members Present: Chairman Louser, Vice Chairman Ostlie, Representatives Boschee, Dakane, Johnson, Kasper, Koppelman, Ruby, Schauer, Thomas, Tveit, Wagner.

Members absent: Representatives Christy and Warrey.

Discussion Topics:

Committee action

Representative Johnson moved a do pass. Representative Wagner seconded.

Roll call vote:

Representatives	Vote
Representative Scott Louser	N
Representative Mitch Ostlie	N
Representative Josh Boschee	AB
Representative Josh Christy	AB
Representative Hamida Dakane	N
Representative Jorin Johnson	Υ
Representative Jim Kasper	N
Representative Ben Koppelman	N
Representative Dan Ruby	N
Representative Austen Schauer	N
Representative Paul J. Thomas	AB
Representative Bill Tveit	N
Representative Scott Wagner	Υ
Representative Jonathan Warrey	AB

Motion failed 3-7-4

Representative Koppelman moved a do not pass. Representative Kasper seconded.

Roll call vote:

Representatives	Vote
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House Industry, Business and Labor Committee SB 2171 03/13/2023 Page 2

Representative Scott Louser	Y
Representative Mitch Ostlie	Υ
Representative Josh Boschee	AB
Representative Josh Christy	AB
Representative Hamida Dakane	Υ
Representative Jorin Johnson	N
Representative Jim Kasper	Υ
Representative Ben Koppelman	Υ
Representative Dan Ruby	Υ
Representative Austen Schauer	N
Representative Paul J. Thomas	AB
Representative Bill Tveit	Υ
Representative Scott Wagner	N
Representative Jonathan Warrey	AB

Motion passed 7-3-4

Representative Ostlie will carry the bill.

Chairman Louser adjourned the meeting 11:16 AM

Diane Lillis, Committee Clerk

REPORT OF STANDING COMMITTEE

Module ID: h_stcomrep_42_007

Carrier: Ostlie

SB 2171: Industry, Business and Labor Committee (Rep. Louser, Chairman) recommends DO NOT PASS (7 YEAS, 3 NAYS, 4 ABSENT AND NOT VOTING). SB 2171 was placed on the Fourteenth order on the calendar.

TESTIMONY

SB 2171



Testimony in Support of **Senate Bill No. 2171**

Senate State and Local Government Committee

January 19, 2023

TESTIMONY OF

Molly Herrington, Chief People Officer, HRMS Division - OMB

Chairman Roers and committee members, I am Molly Herrington, Chief People Officer and Director of the Human Resource Management Services Division of the Office of Management and Budget. I am here today to ask your support for SB2171.

First, I would like to thank you, Chairman Roers, and Senator Dever, for introducing this bill. It was introduced at the request of OMB.

OMB has worked collaboratively with the Public Employees Retirement System (PERS) to develop a proposed additional health insurance plan offering for state team members. Currently, state team members can choose between the state High Deductible Health Plan, which also provides a state-paid contribution to a Health Savings Account, or the main state uniform group insurance plan under NDCC Section 54-52.1-02. The main state plan is a grandfathered plan under the Affordable Care Act (ACA), meaning certain mandated coverages and benefits are not required to be offered in this plan. Under both plan options, the state pays the entire family or individual premium.

SB2171 would direct PERS to develop a new plan offering with enhanced coverages. The new plan offering would be a non-grandfathered plan under the ACA. Due to the added coverages, there would be an additional cost to this plan. That cost would be paid by team members who valued the added coverages and chose to pay the nominal cost to participate in the new plan. The current estimate of cost is an increase of 3.56% over the main state plan. Based on the current contract for the flat rate premium for the main state plan, the added cost would be \$50.80 per month, to be paid as a payroll deduction by any state team member opting to participate.

The array of benefits and services that would be 100% covered under this plan, compared to being partially covered or subject to a cost share under the current main plan, is detailed on the table on the second page of my testimony.

The ability to offer an array of health plan choices improves the state's total rewards package and helps attract and retain great team members. As proposed in this bill, there would be no cost to the state to offer this additional health plan.

Chairman Roers and committee members, this concludes my testimony. I ask your support for Senate Bill 2171. I would be happy to answer any questions.

SANF#RD HEALTH PLAN

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Estimate for Cost of NGF PPO Product

Financial Impact: NDPERS currently offers a Grandfatherd (GF) PPO plan that includes portions of the ACA mandated benefits. An illustration of the major benefit additions from the Affordable Care Act (ACA) is found on page 2. These additional ACA benefits add an estimated **3.56%** cost increase to produce a NGF PPO plan for State Employees.

Pricing for Benefits Change: The table below reflects the adjusted rates based on the additional ACA benefit and utilization impact.

	NDPERS State Employee Rate Comparison			
GF PPO NGF PPO State Employees State Employees - ACA Benefit				
Single	\$ 687.66	\$ 712.11		
Family	\$ 1,658.37	\$ 1,717.34		
Flat Single/Family Rate	\$ 1,428.76	\$ 1,479.56		

SANF#RD HEALTH PLAN

*Previous coverage under Tabacco Cessation program funded by the state. *Previous coverage under Tabacco Cessation program funded by the state. *Previous coverage under Tabacco Cessation program funded by the state. *All Food and Drug Administration (FDA)-approved tobacco cessation medications; (including both prescribed by a health care provider without preauthorization/Prior Approval. *Previous coverage under Tabacco Cessation program funded by the state. *All Food and Drug Administration (FDA)-approved tobacco cessation medications; (including both prescribiton and over-the-counter medications) for a 90-day treatment regimen when prescribed by a health care provider without Preauthorization/Prior Approval. **Previous coverage under Tabacco Cessation program funded by the state. **All Food and Drug Administration (FDA)-approved tobacco cessation medications; including both prescribiton and over-the-counter medications; for a 90-day treatment regimen when prescribed by a health care provider without Preauthorization/Prior Approval. **Consults the (2) tobacco cessation attempts per year (for Members who use tobacco products). Covering a cessation attempts defined to include coverage for: **Four (4) tobacco cessation ounseling sessions of at least ten (10) minutes each (including telephone counseling, group counseling and individual counseling) without Preauthorization/Prior Approval; and **All Food and Drug Administration (FDA)-approved tobacco cessation medications; including telephone counseling, group counseling and individual counseling) without Preauthorization/Prior Approval; and **All Food and Drug Administration (FDA)-approved tobacco cessation medications; including telephone counseling, group counseling and individual counseling) without Preauthorization/Prior Approval; and **All Food and Drug Administration (FDA)-approved tobacco cessation medications; for a 90-day treatment regimen when prescribed by a health care provider without Preauthorization/Prior Approval.		Benefit	GF PPO	NGF PPO	NGF HDHP
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TESTIMONY OF SCOTT MILLER Senate Bill 2171 – Third Health Plan Option

Good Morning, my name is Scott Miller. I am the Executive Director of the North Dakota Public Employees Retirement System, or NDPERS. I am here to testify in a neutral position regarding Senate Bill 2171.

SB 2171 would add a third health plan into which state employees could elect to participate. Right now there are two health plans from which they can choose, our grandfathered PPO plan and a non-grandfathered High Deductible Health Plan (HDHP). This third plan would be a non-grandfathered PPO plan that would provide increased benefits for a higher cost. That additional cost would be paid by the employee. The relative costs between the grandfathered PPO and the non-grandfathered PPO are provided below, based on the 2021-2023 premiums (not including the proposed premium increase for 2023-2025):

Pricing for Benefits Change: The table below reflects the adjusted rates based on the additional ACA benefit and utilization impact.

	NDPERS State Employee Rate Comparison			
GF PPO NGF PPO State Employees State Employees - ACA Bene				
Single	\$ 687.66	\$ 712.11		
Family	\$ 1,658.37	\$ 1,717.34		
Flat Single/Family Rate	\$ 1,428.76	\$ 1,479.56		

The percentage increase is 3.56%.

I have also uploaded Sanford Health Plan's estimate of costs and comparison of plans.

TESTIMONY OF REBECCA FRICKE Senate Bill 2171 – Third Health Plan Option

Good Morning, my name is Rebecca Fricke. I am the Chief Benefits Officer of the North Dakota Public Employees Retirement System, or NDPERS. I am here to testify in a neutral position regarding Senate Bill 2171.

SB 2171 would add a third health plan into which state employees could elect to participate. Right now there are two health plans from which they can choose, our grandfathered PPO plan and a non-grandfathered High Deductible Health Plan (HDHP). This third plan would be a non-grandfathered PPO plan that would provide increased benefits for a higher cost. That additional cost would be paid by the employee. The relative costs between the grandfathered PPO and the non-grandfathered PPO are provided below, based on the 2021-2023 premiums (not including the proposed premium increase for 2023-2025):

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Flat Single/Family Rate	\$ 1,428.76	\$ 1,479.56		

The percentage increase is 3.56%.

I have also uploaded Sanford Health Plan's estimate of costs and comparison of plans.



Estimate for Cost of NGF PPO Product

Financial Impact: NDPERS currently offers a Grandfatherd (GF) PPO plan that includes portions of the ACA mandated benefits. An illustration of the major benefit additions from the Affordable Care Act (ACA) is found on page 2. These additional ACA benefits add an estimated **3.56%** cost increase to produce a NGF PPO plan for State Employees.

Pricing for Benefits Change: The table below reflects the adjusted rates based on the additional ACA benefit and utilization impact.

	NDPERS State Employee Rate Comparison			
GF PPO NGF PPO State Employees State Employees - ACA Benefit				
Single	\$ 687.66	\$ 712.11		
Family	\$ 1,658.37	\$ 1,717.34		
Flat Single/Family Rate	\$ 1,428.76	\$ 1,479.56		

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Testimony in Support of

Senate Bill No. 2171

House Industry, Business and Labor Committee

March 13, 2023

TESTIMONY OF

Molly Herrington, Chief People Officer, Human Resource Management Service

Chairman Louser and committee members, I am Molly Herrington, Chief People Officer and Director of the Human Resource Management Services Division (HRMS) of the Office of Management and Budget (OMB). I am here today to ask your support for SB 2171.

First, I would like to thank Chairman Roers and Senator Dever for introducing this bill. It was introduced at the request of OMB.

OMB has worked collaboratively with the Public Employees Retirement System (PERS) to develop a proposed additional health insurance plan offering for state employees. Currently, state employees can choose between the state High Deductible Health Plan, which also provides a state-paid contribution to a Health Savings Account, or the main state uniform group insurance plan under NDCC Section 54-52.1-02. The main state plan is a grandfathered plan under the Affordable Care Act (ACA), meaning certain mandated coverages and benefits are not required to be offered in this plan. Under both plan options, the state pays the entire family or individual premium.

SB 2171 would direct PERS to develop a new plan offering with enhanced coverages. The new plan offering would be a non-grandfathered plan under the ACA. Due to the added coverages, there would be an additional cost to this plan. That cost would be paid by employees who value the added coverages and choose to pay the nominal cost to participate in the new plan. The current estimate of cost is an increase of 3.56% over the main state plan. Based on the current contract for the flat rate premium for the main state plan, the added cost would be \$58.42 per month, to be paid as a payroll deduction by any state employee opting to participate.

The array of benefits and services that would be 100% covered under this plan, compared to being partially covered or subject to a cost share under the current main plan, is detailed on the table on the second page of my testimony.

The ability to offer an array of health plan choices improves the state's total rewards package and helps attract and retain great employees. As proposed in this bill, there would be no cost to the state to offer this additional health plan.

Chairman Louser and committee members, this concludes my testimony. I ask your support for Senate Bill 2171. I would be happy to answer any questions.

SANF#RD HEALTH PLAN

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DB Services - Ultrasound DED walved, subject to COINS: 2 routine ultrasounds allowed \$33.00 Copay/ Visit, DED waived; Eligible for \$200 Wellness based items or services that have, in effect, a rating of "A" or "B" in the current recommendations of the United States Preventive Services Subject to Cost Share Subject to Cost Share Covered at 100%: Covere sterilizations, including voluntary tubal ligations and vasectomies: o Medical — Occlusion of the fallopian tubes by use of permanent implants (e.g. Essure). Surgical — Tubal ligation covered at 100% of allowed only when performed as the indical benefit with the applicable cost-share applied. Not covered.* Preventus coverage under Tabacco Cessation program funded by the state. Tobacco Cessation Tobacco Cessation Tobacco Cessation Occurring a cassation attempt is defined to include coverage for: Four (4) tobacco cessation attempt is defined to include coverage for: Four (4) tobacco cessation attempts is defined to include coverage for: Four (4) tobacco cessation counseling, group counseling and Drug Administration (FDA)-approved tobacco cessation medications (fuculding both prescription and over-the- counter medications (for A) provider without Preauthorization/Prior Approval; and All Food and Drug Administration (FDA)-approved tobacco cessation and cessation attempt is pread to the prescribed by a health care provider without Preauthorization/Prior Approval. Description of the fallopian tubes by use of permanent implants (e.g. Essure). Surgical — Tubal ligation covered at 100% of allowed only when performed as the primary procedure. When performed as part of a maternity delivery or for any other medical reason, it will be covered as a medical benefit with the applicable cost-share applied. Paid at 100%: Tobacco Cessation services include screening for tobacco use and at least two (2) tobacco cessation attempts per year (for Members who use tobacco products). Covering a cessation attempt is defined to include coverage for: Four (4) tobacco cessation a				,	
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