

**HOUSE BILL NO. 1416**

Introduced by

Representatives Kiefert, K. Anderson, Rohr, M. Ruby, Tveit, Vigesaa, Weisz

Senators Conley, Wobbema

1 A BILL for an Act to create and enact section 26.1 36 12.7 of the North Dakota Century Code,  
2 relating to freedom of choice for health care services.

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

4 **SECTION 1.** Section 26.1-36-12.7 of the North Dakota Century Code is created and  
5 enacted as follows:

6 **26.1-36-12.7. Freedom of choice for health care services.**

7 1. As used in this section:

8 a. "Health care provider" includes an individual licensed under chapters 43-05,  
9 43-06, 43-12.1 as a registered nurse or as an advanced practice registered  
10 nurse, 43-13, 43-15, 43-17, 43-26.1, 43-28, 43-32, 43-37, 43-40, 43-41, 43-42,  
11 43-44, 43-45, 43-47, 43-58, or 43-60.

12 b. "Integrated delivery network" means a system of health care providers and  
13 facilities which offer both health care services and policies.

14 c. "Policy" means a health insurance policy, contract, or evidence of coverage on a  
15 group, individual, blanket, franchise, or association basis.

16 2. A health insurer, including the Medicaid program, which is part of an integrated  
17 delivery network or a policy directly affiliated with or administered for a health care  
18 provider may not obstruct patient choice by excluding a health care provider licensed  
19 under the laws of this state from participating on the health insurer's panel of providers  
20 if the provider is located within the geographic coverage area of the health benefit plan  
21 and is willing and fully qualified to meet the terms and conditions of participation, as  
22 established by the health insurer.