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## EMPLOYEE BENEFITS PROGRAMS COMMITTEE

Thursday, February 9, 2023  
Pioneer Room, State Capitol  
Bismarck, North Dakota

Representative Josh Boschee, Chairman, called the meeting to order at 4:15 p.m.

**Members present:** Representatives Josh Boschee, Bert Anderson, Claire Cory, Mitch Ostlie, Matthew Ruby, Mary Schneider, Paul J. Thomas; Senators Brad Bekkedahl, Randy A. Burckhard, Dick Dever, Tim Mathern, Kristin Roers, Shawn Vedaa

**Members absent:** None

**Others present:** Representative Karen Karls, Bismarck  
Rebecca Fricke, Public Employees Retirement System; Scott Miller, Public Employees Retirement System; Dylan Wheeler, Sanford Health Plan\*; Megan Houn, Blue Cross Blue Shield of North Dakota; Danelle Johnson\*  
*\*Attended remotely*

**It was moved by Senator Mathern, seconded by Representative Thomas, and carried on a voice vote that the minutes of the February 3, 2023, meeting be approved as distributed.**

### AMENDMENT ACTUARIAL REPORTS

The committee received technical comments, actuarial information, and comments by interested persons relating to the following two sets of amendments, over which the committee took jurisdiction, which affect, actuarially or otherwise, the retirement programs of state employees or employees of any political subdivision, and health and retiree health plans of state employees or employees of any political subdivision pursuant to North Dakota Century Code Section 54-35-02.4:

- [Amendments to House Bill No. 1413 \[23.0392.01003\]](#), which provide for health insurance maximums for out-of-pocket expenses; and
- [Amendments to Senate Bill No. 2140 \[23.0532.01003\]](#), which provide for Public Employees Retirement System health benefits coverage to limit enrollee expenses for diabetes drugs and supplies.

Ms. Rebecca Fricke, Chief Benefits Officer, Public Employees Retirement System, provided technical comments ([Appendix A](#)) and actuarial information ([Appendix B](#)) on the two sets of amendments.

Representative Karls testified in support of the amendments to House Bill No. 1413 and requested a favorable recommendation.

Mr. Dylan Wheeler, Senior Legislative Affairs Specialist, Sanford Health Plan, testified in opposition to the amendments to House Bill No. 1413. He noted the unintended consequence may be that drug manufacturers are incentivized to increase drug prices.

Ms. Megan Houn, Director, Government Relations, Blue Cross Blue Shield of North Dakota, testified in opposition to the amendments to House Bill No. 1413. She noted the bill may inflate the cost of drugs.

**It was moved by Representative Thomas, seconded by Senator Vedaa, and carried on a roll call vote that the committee give a recommendation of no recommendation on the amendments to House Bill No. 1413.** Representatives Boschee, Anderson, Cory, Ostlie, Schneider, and Thomas and Senators Burckhard and Vedaa voted "aye." Representative Ruby and Senators Dever and Mathern voted "nay."

Mr. Scott Miller, Executive Director, Public Employees Retirement System, reviewed the technical comments and actuarial report on the amendments to Senate Bill No. 2140.

Senator Mathern testified in support of the amendments to Senate Bill No. 2140.

Ms. Danelle Johnson testified in support to the amendments to Senate Bill No. 2140. She noted she has a daughter with type 1 diabetes.

Mr. Wheeler testified in opposition to the amendments to Senate Bill No. 2140.

**It was moved by Senator Mathern, seconded by Senator Dever, and failed on a roll call vote that the committee give a favorable recommendation to the amendments to Senate Bill No. 2140.** Representatives Boschee, Ostlie, and Schneider and Senators Dever, Mathern, and Vedaa voted "aye." Representatives Anderson, Cory, Ruby, and Thomas and Senators Burckhard and Roers voted "nay."

**It was moved by Senator Roers, seconded by Representative Ruby, and carried on a roll call vote that the committee give a recommendation of no recommendation on the amendments to Senate Bill No. 2140.** Representatives Anderson, Cory, Ostlie, Ruby, and Thomas and Senators Burckhard and Roers voted "aye." Representatives Boschee and Schneider and Senators Dever, Mathern, and Vedaa voted "nay."

No further business appearing, Chairman Boschee adjourned the meeting at 4:55 p.m.

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Jennifer S. N. Clark  
Senior Counsel and Code Revisor

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