

February 2, 2021

PROPOSED AMENDMENTS TO SENATE BILL NO. 2253

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study relating to long-term care insurance policies and the cost of long-term care; to provide a penalty; and to provide an appropriation.

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

**SECTION 1. ANALYSIS OF LONG-TERM INSURANCE MARKET - LEGISLATIVE MANAGEMENT STUDY.** During the 2021-22 interim, the insurance department shall assist the legislative management with an interim study of the long-term care insurance market in the state. The study must include the receipt of a report from the insurance department including a detailed analysis of the long-term care insurance market in the state. Upon the request of the insurance department, the ten largest long-term care insurance insurers in the state shall participate in the study to review the current premium market, benefits, consumer options in relation to premium increases, long-term care partnership program options, and overall market products or riders. The insurance department shall coordinate with the state department of health, the department of human services, and the North Dakota long term care association for data regarding long-term care facilities. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations to the sixty-eighth legislative assembly.

**SECTION 2. ANALYSIS OF THE COST OF LONG-TERM CARE - LEGISLATIVE MANAGEMENT STUDY - PENALTY.** During the 2021-22 interim, the insurance department shall assist the legislative management with an interim study of the cost of long-term care in the state. The study must include the receipt of a report from the insurance department including a detailed analysis of the cost of long-term care in the state. Upon the request of the insurance department, long-term care facilities shall provide the insurance department data regarding billing and payment information, financial information, management information, and other information the insurance department deems necessary to complete a detailed analysis of long-term care in the state. The department may not request data that includes personally identifiable information and the long-term care facilities may provide data in the aggregate. If a long-term care facility fails, without cause, to provide the insurance department with requested data as required under this section, the insurance commissioner may charge the long-term care facility a civil penalty of up to one thousand dollars per day the long-term care facility is in violation. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations to the sixty-eighth legislative assembly.

**SECTION 3. APPROPRIATION.** There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$200,000, or so much of the sum as may be necessary, to the insurance department for the purpose of assisting the legislative management with the interim studies of the long-term care insurance market and the cost of long-term care in the state."

Renumber accordingly