

Introduced by

Senators Mathern, Hogan

Representatives P. Anderson, Guggisberg

1 A BILL for and Act to provide for a legislative management study relating to long-term care  
2 insurance policies and the cost of long-term care; to provide a penalty; and to provide an  
3 appropriation.

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

5 **SECTION 1. ANALYSIS OF LONG-TERM INSURANCE MARKET - LEGISLATIVE**

6 **MANAGEMENT STUDY.** During the 2021-22 interim, the insurance department shall assist the  
7 legislative management with an interim study of the long-term care insurance market in the  
8 state. The study must include the receipt of a report from the insurance department including a  
9 detailed analysis of the long-term care insurance market in the state. Upon the request of the  
10 insurance department, the ten largest long-term care insurance insurers in the state shall  
11 participate in the study to review the current premium market, benefits, consumer options in  
12 relation to premium increases, long-term care partnership program options, and overall market  
13 products or riders. The insurance department shall coordinate with the department of health, the  
14 department of human services, and the North Dakota long term care association for data  
15 regarding long-term care facilities. The legislative management shall report its findings and  
16 recommendations, together with any legislation required to implement the recommendations to  
17 the sixty-eighth legislative assembly.

18 **SECTION 2. ANALYSIS OF THE COST OF LONG-TERM CARE - LEGISLATIVE**

19 **MANAGEMENT STUDY - PENALTY.** During the 2021-22 interim, the insurance department  
20 shall assist the legislative management with an interim study of the cost of long-term care in the  
21 state. The study must include the receipt of a report from the insurance department including a  
22 detailed analysis of the cost of long-term care in the state. Upon the request of the insurance  
23 department, long-term care facilities shall provide the insurance department data regarding  
24 billing and payment information, financial information, management information, and other

1 information the insurance department deems necessary to complete a detailed analysis of long-  
2 term care in the state. The department may not request data that includes personally identifiable  
3 information and the long-term care facilities may provide data in the aggregate. If a long-term  
4 care facility fails, without cause, to provide the insurance department with requested data as  
5 required under this section, the insurance commissioner may charge the long-term care facility  
6 a civil penalty of up to one thousand dollars per day the long-term care facility is in violation.  
7 The legislative management shall report its findings and recommendations, together with any  
8 legislation required to implement the recommendations to the sixty-eighth legislative assembly.

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