

Sixty-seventh
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2253

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~~ for an Act to provide for a legislative management study relating to the long-term
4 care insurance market.

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

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

19 ~~—SECTION 2. ANALYSIS OF THE COST OF LONG-TERM CARE—LEGISLATIVE~~
20 ~~MANAGEMENT STUDY—PENALTY.~~ During the 2021-22 interim, the insurance department
21 shall assist the legislative management with an interim study of the cost of long-term care in the
22 state. The study must include the receipt of a report from the insurance department including a
23 detailed analysis of the cost of long-term care in the state. Upon the request of the insurance
24 department, long-term care facilities shall provide the insurance department data regarding

1 ~~billing and payment information, financial information, management information, and other~~
2 ~~information the insurance department deems necessary to complete a detailed analysis of long-~~
3 ~~term care in the state. The department may not request data that includes personally identifiable~~
4 ~~information and the long term care facilities may provide data in the aggregate. If a long term~~
5 ~~care facility fails, without cause, to provide the insurance department with requested data as~~
6 ~~required under this section, the insurance commissioner may charge the long term care facility~~
7 ~~a civil penalty of up to one thousand dollars per day the long term care facility is in violation.~~
8 ~~The legislative management shall report its findings and recommendations, together with any~~
9 ~~legislation required to implement the recommendations to the sixty eighth legislative assembly.~~
10 ~~—~~ **SECTION 3. APPROPRIATION.** ~~There is appropriated out of any moneys in the general~~
11 ~~fund in the state treasury, not otherwise appropriated, the sum of \$200,000, or so much of the~~
12 ~~sum as may be necessary, to the insurance department for the purpose of assisting the~~
13 ~~legislative management with the interim studies of the long term care insurance market and the~~
14 ~~cost of long term care in the state.~~

15 **SECTION 1. LEGISLATIVE MANAGEMENT STUDY - LONG-TERM CARE INSURANCE**
16 **MARKET.** During the 2021-22 interim, the legislative management shall consider studying the
17 long-term care insurance market in the state. The insurance commissioner and, as requested,
18 the ten largest long-term care insurance insurers in the state shall participate in this study to
19 review the current premium market, benefits, and consumer options in relation to premium
20 increases and overall market. The legislative management shall report its findings and
21 recommendations, together with any legislation required to implement the recommendations, to
22 the sixty-eighth legislative assembly.