

Introduced by

Senators Vedaa, J. Roers

Representative Nelson

1 A BILL for an Act to provide for a legislative management study of the prior authorization
2 process for health insurance.

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

4 **SECTION 1. LEGISLATIVE MANAGEMENT STUDY - HEALTH INSURANCE PRIOR**
5 **AUTHORIZATION.**

6 1. During the 2023-24 interim, the legislative management shall consider studying prior
7 authorization in health benefit plans. The study must include consideration of:

8 a. The extent to which prior authorization is used by health insurance companies in
9 this state, including the types of services and procedures for which prior
10 authorization is required.

11 b. The impact of prior authorization on patient care, including the effects on patient
12 health outcomes, patient satisfaction, health care costs, and patient access to
13 care.

14 c. The impact of prior authorization on health care providers and insurers, including
15 the administrative burden, time, and cost associated with obtaining prior
16 authorization, and the appropriate utilization of health care services.

17 d. State and federal laws and regulations that may impact prior authorization.

18 e. Input from stakeholders, including patients, providers, and commercial insurance
19 plans.

20 2. The study may include consideration of issues related to response times, retroactive
21 denial, data reporting, clinical criteria and medical necessity, transparency, fraud and
22 abuse, reviewer qualifications, exceptions, and an appeal process.

Sixty-eighth
Legislative Assembly

- 1 3. The legislative management shall report its findings and recommendations, together
- 2 with any legislation required to implement the recommendations, to the sixty-ninth
- 3 legislative assembly.