

November 1999

STATE HEALTH COUNCIL AUTHORITY TO APPROVE ALTERNATIVE HEALTH CARE SERVICES PILOT PROJECTS

North Dakota Century Code Section 23-01-04.3 (a copy of which is attached) authorizes the State Health Council to approve alternative health care services pilot projects. The State Health Council may approve no more than three separate projects that would be operating at the same time and no project may continue for more than five years.

The section provides that upon an application to conduct an alternative health care services pilot project in a city, township, or other geographical area of the state in which health care needs are not being adequately met, the State Health Council shall:

1. Schedule a public hearing.
2. Send notice to all interested parties.
3. Give public notice of the hearing by publication in the official newspaper of each county in the pilot project area.

If approved, the State Health Council shall set the standards for the delivery of services by the pilot project; however, the standards may not adversely affect the state's participation in federal Medicare and Medicaid programs.

ATTACH:1

23-01-04.2. Legislative intent — Health vaccination charges. It is the intent of the legislative assembly that the department of health and consolidated laboratories adopt rules defining appropriate administration charges for vaccine provided by the department to physicians, private clinics, and hospitals.

Source: S.L. 1989, ch. 35, § 3; 1991, ch. 258, § 1.

23-01-04.3. Alternative health care services pilot project — Application — Notice — Hearing — Approval — Duration.

1. At any time that the health care needs of a city, township, or other geographic area are not being adequately met, any person may apply to the state health council for approval to conduct an alternative health care services pilot project. The application must address the need for and benefits of the pilot project. It must also contain a detailed description of the nature and scope of the project, quality control, organization, accountability, responsibility, and financial feasibility.
2. Upon receipt of an application under subsection 1, the state health council shall schedule a public hearing, send notice to all interested parties, and give public notice of the hearing by publication in the official newspaper of each county in the pilot project area. At the hearing, the council shall accept written and oral testimony. The council shall review the application and all testimony presented at the hearing and approve, disapprove, or modify and approve the application based on criteria established by the council. The criteria must address the availability and use of health personnel, facilities, and services.
3. Notwithstanding any other provisions of law, upon approval of an application submitted under subsection 1, the state health council, in consultation with the state health officer and any other public or private entity consulted by the state health council, shall set the standards for the delivery of health care services by the pilot project. The standards may not adversely affect the state's participation in federal medicare and medicaid programs. No more than three separate projects may be operational at any time and no project may be operational for longer than five years.

Source: S.L. 1991, ch. 259, §§ 1 to 3.

Effective Date.

This section, as enacted by sections 1 to 3 of chapter 259, S.L. 1991, became effective on July 3, 1991, 90 days after filing, pursuant to N.D. Const., Art. IV, § 13.

Note.

Section 4 of chapter 259, S.L. 1991, provides:

"Report to the fifty-third legislative assembly. The state health council shall monitor all ongoing alternative health care services pilot projects to assess the need for statutory and regulatory changes and shall report its findings to the fifty-third legislative assembly."