

PROPOSED AMENDMENTS TO SENATE AND HOUSE RULES 402

1       **SECTION 1. AMENDMENT.** Senate Rule 402 is amended as follows:

2       **402. WHEN INTRODUCED.**

- 3       1. No member other than the Majority and Minority Leaders may introduce more than
- 4       three bills as prime sponsor after the tenth legislative day. No bill may be
- 5       introduced after the fifteenth legislative day, and no resolution, except those
- 6       resolutions described in subsection ~~3~~ 4, may be introduced after the eighteenth
- 7       legislative day, except upon approval of a majority of the Delayed Bills Committee
- 8       or upon two-thirds vote of the members of the Senate present and voting.
- 9       2. No bill introduced at the request of an executive agency or the Supreme Court may
- 10      be introduced after December tenth before the ensuing regular session, except
- 11      upon approval of a majority of the Delayed Bills Committee.
- 12      3. A bill mandating health insurance coverage of services or payment for specified
- 13      providers of services may not be introduced after the fifth legislative day.
- 14      4. Resolutions that propose amendments to the Constitution of North Dakota and
- 15      resolutions directing the Legislative Council to carry out a study may not be
- 16      introduced after the thirty-first legislative day.

17      **SECTION 2. AMENDMENT.** House Rule 402 is amended as follows:

18      **402. WHEN INTRODUCED.**

- 19      1. No member other than the Majority and Minority Leaders may introduce more than
- 20      five bills as prime sponsor after the fifth legislative day. No bill may be introduced
- 21      after the fifteenth legislative day, and no resolution, except those resolutions
- 22      described in subsection ~~3~~ 4, may be introduced after the eighteenth legislative day,
- 23      except upon approval of a majority of the Delayed Bills Committee or upon
- 24      two-thirds vote of the members of the House present and voting.
- 25      2. No bill introduced at the request of an executive agency or the Supreme Court may
- 26      be introduced after December tenth before the ensuing regular session, except
- 27      upon approval of a majority of the Delayed Bills Committee.

- 1           3.   A bill mandating health insurance coverage of services or payment for specified  
2                   providers of services may not be introduced after the fifth legislative day.
- 3           4.   Resolutions that propose amendments to the Constitution of North Dakota and  
4                   resolutions directing the Legislative Council to carry out a study may not be  
5                   introduced after the thirty-first legislative day.

**NOTE:** The proposed amendments to Senate and House Rules 402 are as recommended by the interim Budget Committee on Health Care, which is studying mandated health insurance coverage of services. The earlier deadline for introducing a bill mandating health insurance coverage of services or payment for specified providers of services is intended to provide sufficient time to request and receive a cost-benefit analysis as required by North Dakota Century Code Section 54-03-28. Section 54-03-28 provides:

**Health insurance mandated coverage of services - Cost-benefit analysis requirement.**

1. A legislative measure mandating health insurance coverage of services or payment for specified providers of services may not be acted on by any committee of the legislative assembly unless the measure is accompanied by a cost-benefit analysis provided by the legislative council. Factors to consider in this analysis include:
  - a. The extent to which the proposed mandate would increase or decrease the cost of the service.
  - b. The extent to which the proposed mandate would increase the appropriate use of the service.
  - c. The extent to which the proposed mandate would increase or decrease the administrative expenses of insurers and the premium and administrative expenses of insureds.
  - d. The impact of the proposed mandate on the total cost of health care.
2. A majority of the members of the committee, acting through the chairman, has sole authority to determine whether a legislative measure mandates coverage of services under this section.
3. Any amendment made during a legislative session to a measure which mandates health insurance coverage of services may not be acted on by a committee of the legislative assembly unless the amendment is accompanied by a cost-benefit analysis provided by the legislative council.
4. The legislative council shall contract with a private entity, after receiving one or more recommendations from the insurance commissioner, to provide the cost-benefit analysis required by this section. The insurance commissioner shall pay the cost of the contracted services to the entity providing the services.

The effectiveness of this earlier deadline depends on its enforcement, the time taken to determine whether a cost-benefit analysis is required, and the ability of the actuary to provide a cost-benefit analysis before consideration of the bill by the standing committee. This deadline does not address the procedure if an amendment proposes a

mandate. Presumably, legislators will be aware of the requirements as the result of becoming aware of the earlier deadline for such measures.

North Dakota Century Code Section 54-03-25 requires the Workers Compensation Bureau to review any legislative measure or amendment affecting workers' compensation benefits or premium rates to determine whether the measure will have an actuarial impact on the workers' compensation fund. If such a determination is made, the bureau is to submit an actuarial impact statement before the measure or amendment is acted upon. There is no special procedure or timeframe in the rules to address how action is to be delayed until the statement is received.