

Introduced by

Representatives Westlind, Tveit, Weisz

1 A BILL for an Act to create and enact section 26.1-36-12.7 of the North Dakota Century Code,  
2 relating to freedom of choice for health care services.

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

4 **SECTION 1.** Section 26.1-36-12.7 of the North Dakota Century Code is created and  
5 enacted as follows:

6 **26.1-36-12.7. Freedom of choice for health care services.**

7 1. As used in this section:

8 a. "Health care provider" includes an individual licensed under chapter 43-05,  
9 43-06, 43-12.1 as a registered nurse or as an advanced practice registered  
10 nurse, 43-13, 43-15, 43-17, 43-26.1, 43-28, 43-32, 43-37, 43-40, 43-41, 43-42,  
11 43-44, 43-45, 43-47, 43-58, or 43-60.

12 b. "Policy" means an accident and health insurance policy, contract, or evidence of  
13 coverage on a group, individual, blanket, franchise, or association basis.

14 2. An insurer may not deliver, issue, execute, or renew a policy if that policy:

15 a. Denies a health care provider the right to participate as a participating provider  
16 for any policy on the same terms and conditions as are offered to any other  
17 provider of health care services under the policy; or

18 b. Prevents an individual who is a party to or beneficiary of a policy from selecting a  
19 health care provider of the individual's choice to furnish the health care services  
20 offered under any policy, provided that the health care provider is a participating  
21 provider under the same terms and conditions of the policy as those offered to  
22 any other health care provider.