

**Sixty-seventh Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 5, 2021**

SENATE BILL NO. 2085
(Human Services Committee)
(At the request of the Department of Human Services)

AN ACT to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to the use of an automated clearing house to facilitate payment to medical assistance providers and provider applicants; to amend and reenact sections 50-24.1-26 and 50-24.1-32 of the North Dakota Century Code, relating to Medicaid waivers to provide in-home services and medical assistance and advanced practice registered nurses; to repeal section 50-24.1-06 of the North Dakota Century Code, relating to medical assistance remedial eye care; and to provide for application.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 50-24.1-26 of the North Dakota Century Code is amended and reenacted as follows:

50-24.1-26. Medicaid waivers - In-home services.

The department shall administer Medicaid waivers to provide in-home services to children with extraordinary medical needs and to children up to the age of ~~fourteen~~sixteen diagnosed with an autism spectrum disorder who would otherwise meet institutional level of care. The department may prioritize applicants for the waiver for children with extraordinary medical needs by degree of need.

SECTION 2. AMENDMENT. Section 50-24.1-32 of the North Dakota Century Code is amended and reenacted as follows:

50-24.1-32. Medical assistance - Services provided by physician assistants and advanced practice registered nurse ~~practitioners~~nurses.

The medical assistance program must recognize physician assistants and advanced practice registered nurse ~~practitioners~~nurses with the roles of nurse practitioner or certified nurse midwife as primary care providers with the same rights and responsibilities given primary care physicians under the medical assistance program. Any care provided by the physician assistant or advanced practice registered nurse ~~practitioner~~nurse with the roles of nurse practitioner or certified nurse midwife as a primary care provider under the medical assistance program must be within the scope of the physician assistant's or advanced practice registered nurse ~~practitioner's~~nurse's respective license.

SECTION 3. A new section to chapter 50-24.1 of the North Dakota Century Code is created and enacted as follows:

Automated clearing house payments to medical assistance providers and provider applicants.

The department shall provide payment to medical assistance providers and may provide payments to provider applicants using an automated clearing house to provide for electronic fund transfers. To receive payment, medical assistance providers and provider applicants shall provide sufficient documentation to enable the department to provide electronic funds transfers through an automated clearing house. No other forms of payment are permitted.

SECTION 4. REPEAL. Section 50-24.1-06 of the North Dakota Century Code is repealed.

SECTION 5. APPLICATION. The department of human services shall stagger implementation of section 3 of this Act so the section applies:

1. On January 1, 2022, to agreements entered between the department of human services and the individual on or after January 1, 2022; and
2. On January 1, 2023, to agreements entered between the department of human services and the individual on or before December 31, 2021.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-seventh Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2085.

Senate Vote: Yeas 47 Nays 0 Absent 0

House Vote: Yeas 93 Nays 0 Absent 1

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2021.

Approved at _____ M. on _____, 2021.

Governor

Filed in this office this _____ day of _____, 2021,

at _____ o'clock _____ M.

Secretary of State