

**Sixty-third Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 8, 2013**

HOUSE BILL NO. 1362
(Representatives Carlson, Bellew, Kasper, Kreidt, Weisz)

AN ACT to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to medicaid expansion; to provide an appropriation to the department of human services for the expansion of the medical assistance program; to provide for a legislative management study; to provide an effective date; and to provide an expiration date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 50-24.1 of the North Dakota Century Code is created and enacted as follows:

Medicaid expansion.

1. The department of human services shall expand medical assistance coverage as authorized by the federal Patient Protection and Affordable Care Act [Pub. L. 111-148], as amended by the Health Care and Education Reconciliation Act of 2010 [Pub. L. 111-152] to individuals under sixty-five years of age with income below one hundred thirty-eight percent of the federal poverty level, based on modified adjusted gross income.
2. The department of human services shall inform new enrollees in the medical assistance program that benefits may be reduced or eliminated if federal participation decreases or is eliminated. The department shall implement the expansion by bidding through private carriers or utilizing the health insurance exchange.

SECTION 2. APPROPRIATION - AUTHORIZATION - DEPARTMENT OF HUMAN SERVICES.

There is appropriated from special funds derived from federal funds any amounts received relating to the Patient Protection and Affordable Care Act [Pub. L. 111-148], as amended by the Health Care and Education Reconciliation Act of 2010 [Pub. L. 111-152], to the department of human services for the purpose of implementing the provisions for the expansion of the medical assistance program, for the biennium beginning July 1, 2013, and ending June 30, 2015.

SECTION 3. LEGISLATIVE MANAGEMENT STUDY-AFFORDABLE CARE ACT IMPLICATIONS.

The legislative management shall consider studying during the 2013-14 interim the effects of the federal Patient Protection and Affordable Care Act [Pub. L. 11-148], as amended by the Health Care and Education Reconciliation Act of 2010 [Pub. L. 111-152], due to the dramatically changing health care system in the state. The study must address alternatives to the federal Patient Protection and Affordable Care Act and the medicaid expansion provisions to make health care more accessible and affordable to the citizens of the state, including access, the cost of providing services, the medicare penalty to the state's providers, and the medicaid payment system. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-fourth legislative assembly.

SECTION 4. EFFECTIVE DATE. Section 1 of this Act becomes effective on January 1, 2014.

SECTION 5. EXPIRATION DATE. Section 1 of this Act is effective through July 31, 2017, and after that date is ineffective.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-third Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1362.

House Vote: Yeas 57 Nays 36 Absent 1

Senate Vote: Yeas 33 Nays 14 Absent 0

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2013.

Approved at _____ M. on _____, 2013.

Governor

Filed in this office this _____ day of _____, 2013,

at _____ o'clock _____ M.

Secretary of State