

**HOUSE BILL NO. 1451**

Introduced by

Representatives Nelson, Mitskog, O'Brien

1 A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota  
2 Century Code, relating to medical assistance prescription drug benefits for antiobesity  
3 medication.

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

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

7 **Medical assistance benefits - Prescription drug coverage - Antiobesity medication.**

- 8 1. Medical assistance coverage, including Medicaid expansion coverage, must include  
9 comprehensive coverage for the treatment of obesity, which includes coverage for  
10 intensive behavioral therapy, bariatric surgery, and antiobesity medication approved by  
11 the United States food and drug administration.
- 12 2. The coverage criteria for antiobesity medication may not be more restrictive than the  
13 United States food and drug administration approved indications.
- 14 3. The coverage provided under this section may not be different or separate from  
15 coverage provided for any other illness, condition, or disorder for purposes of  
16 determining deductibles, lifetime dollar limits, a benefit year maximum for deductibles,  
17 and copayment and coinsurance factors.
- 18 4. This section may not be construed to preclude the undertaking of utilization  
19 management to determine the medical necessity for treatment of obesity, provided all  
20 appropriate medical necessity determinations are made in the same manner as those  
21 determinations are made for the treatment of any other illness, condition, or disorder  
22 covered by medical assistance benefits.
- 23 5. The department shall provide notice to an enrollee regarding the coverage required by  
24 this section. The notice must be:

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- 1           a. In writing:
- 2           b. Prominently positioned in any literature or correspondence; and
- 3           c. Provided to an enrollee when annual information is made available to an
- 4           enrollee, or in another mailing to an enrollee, but no later than December 31.,
- 5           2025.