



68th North Dakota Legislative Session Summary

NDAAP Conference May 5, 2023 Fargo

Rep. Gretchen Dobervich, District 11



Vaccination

HB 1502 Hospital care cannot be denied based on COVID vaccination status

HB 2274 The state and political subdivisions cannot refuse property, funds or services to persons who are not vaccinated for COVID

Insulin Cap



SB 2140 Out-of-pocket cost for 1 month of insulin and insulin supplies is capped at \$25 each for self insured insurance plans



Supplies includes blood glucose meters, blood glucose test strips, lancets, ketone testing supplies including meters and strips, injectable and nasal Glucagon, insulin syringes and needles



Supplies NOT included are insulin pumps, electronic insulin-administering smart pens, continuous glucose monitors, and supplies for any of these products

New ND Medicaid Covered Services

HB 1530 Traditional and Medicaid Expansion must cover applied behavioral analysis education for families and caregivers and dental screenings and assessments; traditional Medicaid must cover dental case management for the elderly, persons with special needs, persons who are medically fragile, and children, and must cover asynchronous tele-dentistry.

Provider and Pharmacy Choice

HB 1416 Health insurers cannot restrict or obstruct patient choice in licensed providers for plans sold after 10.31.24

SB 2378 Pharmacy Benefit Managers cannot require clinician administered drugs be purchased through a mail order specialty pharmacy, increase the cost, limit the availability, or reduce the payment for the cost of the medication if it is not ordered through a mail order specialty pharmacy



Safety in the Workplace

HB 1121 It is a Class C Felony (up to 5 years in prison and \$10,000 in fines) to physically assault an employee of a hospital, clinic, or long-term care facility in the facility



Sex Designation at Birth

HB 1297 Sex designation on birth records cannot be changed due to gender identity change

HB 1139 Sex on birth certificates is defined as biological state of being female or male, based on individuals non-ambiguous sex organs, chromosomes, and endogenous hormone profile at birth

Birth records must designate sex as male or female, not yet determined may only be used for non-ambiguous sex organs, chromosomes, or endogenous hormone profiles



Non-Medical Gender Affirmation

SB 2231 Legally cannot require use of an individuals preferred pronoun to be used or designated in work related communications

HCR 3010 Urges public schools and public entities to protect women by distinguishing between sexes according to biological sex at birth for the purpose of providing equal opportunities and ensuring the privacy and safety of women and girls

Medical Gender Affirming Care

HB 1254 Class B Felony (up to 10 years in prison and \$25k in fines) to perform castration, vasectomy, hysterectomy, oophorectomy, metoidioplasty, orchiectomy, penectomy, phalloplasty, vaginoplasty, mastectomy, or remove a non-diseased part of the body except for circumcision or to treat a medically viable genetic disorder of sexual development

It is a Class A Misdemeanor (up to 360 days in prison and \$3k in fines) to prescribe, dispense or administer puberty blockers, supraphysiologic doses of testosterone to women and supra physiologic doses of estrogen to men

Effective immediately

3-year statute of limitation

Will be litigated



Abortion

HB 1171 It is a Class C Felony (up to 5 years in prison and \$10k in fines) to force or coerce a woman to have an abortion against her will

SB 2150 It is not an abortion if a pregnancy is terminated to remove a lifeless fetus caused by spontaneous abortion, treat an ectopic or molar pregnancy, or prevent the death or substantial physical impairment of the mother; an abortion maybe performed with in 6 weeks of the patients last menstrual cycle in the case of rape, incest or sexual assault

Does not include mental health or multi-fetal pregnancies

Must certify in writing patient consented prior to procedure, for a minor patient the patient and both parents or legal guardian must consent



Abortion continued

Effective immediately

Law is based on the "Trigger Ban" law which went into effect when Roe v Wade was overturned, a stay was issued in district court, the ND Supreme Court affirmed the stay while the "Trigger Ban" is litigated in a lower court

SB 2150 will also be litigated

The Netflix Law

HB 1140 It is a Class C Felony (up to 5 years in prison and \$10k in fines) to penetrate the vagina of a patient with reproductive material without the patients consent





Contact Information

Rep. Gretchen Dobervich, MPH LBSW

701.361.5627

gdobervich@ndlegis.gov