



NDDA Members,

The North Dakota Legislature has reconvened following the Crossover Break. All the bills from the first half have either failed in their chamber of origination or passed and were messaged over to the other chamber for hearing. We would like to give you a quick update on all legislation pertinent to dentistry that we are currently following for you at the NDDA. If you have any questions, concerns or comments on any of the bills, please do not hesitate to reach out to us at the central office. We are here to serve you and would be happy to help with any concerns.

If you have not already, please take a moment to thank our most vocal supporters in opposition to dental therapy. It is never too late to thank them and nothing really resonates more with legislators during this time of the year. Most of their communications are requests so it means a lot to get a genuine thank you. Please do your part and take the time to thank them.

- Representative Kathy Skroch (Spoke on Floor) - [kskroch@nd.gov](mailto:kskroch@nd.gov)
- Representative Greg Westlind (Spoke in Committee) - [gwestlind@nd.gov](mailto:gwestlind@nd.gov)
- Representative Jim Kasper (Spoke on Floor) - [jkasper@nd.gov](mailto:jkasper@nd.gov)
- Representative Dan Ruby (Spoke on Floor) - [druby@nd.gov](mailto:druby@nd.gov)

Bills passing their chamber of origination and still active in legislative process:

- HB 1103 (Opioid Definitions)
- HB 1106 (Reinsurance Pool)
- SB 2012 (Medicaid Budget)
- SB 2102 (Discount Medical Plans)
- SB 2106 (CHIP – Healthy Steps)
- SB 2143 (Loan Repayment Program)
- SB 2306 (Regulatory Board Licensure)
- SB 2353 (Regulatory Board Licensure)

Failed bills:

- HB 1063 (Opioid Regulations)
- HB 1253 (Regulatory Board Licensure)
- HB 1426 (Dental Therapy)
- HB 1523 (Regulatory Board Reserves)
- SB 2126 (Regulatory Board Licensure)
- SB 2127 (Regulatory Board Licensure)

We take great pride in advocating for you, our member dentists, your patients, and oral health in North Dakota. Please let us know if you have any specific concerns regarding any of the included legislation or other legislation that may be of issue for you.

For a more in-depth overview of the bills and specific NDDA actions please continue reading below.

To visit and navigate the 66<sup>th</sup> North Dakota Legislative Assembly page please go to:  
<https://www.legis.nd.gov/assembly/66-2019/regular>.

### **Quick General Legislative Overview and Actions:**

Included is a quick overview of the bills we have interacted with this session. Our biggest lift was the defeat of HB 1426 (dental therapy) by an increasing margin in our favor. This was one of the most restrictive dental therapy bills we have seen, but regardless we reaffirmed our position this is bad policy and not a solution for North Dakota. This was a great victory for us as many of our peer battle ground states are compromising or are being blindsided by dental therapy legislation.

In other action, we worked with our Insurance Commissioner to help draft amendments to SB 2102 for exemption of our members in-office insurance plans. SB 2102 regulates “discount medical plans” and accidentally captured our member’s in-office plans with its initial drafting. We were able to resolve this issue with the help of the Commissioner and now are fully supporting this legislation.

Bills that we are currently monitoring but are neutral on include: HB 1106, SB 2012, SB 2106, SB 2306, and SB 2353. We are monitoring HB 1106 as there were potential tax ramifications for association health plans. This tax has been amended out of the bill which is beneficial as we continue to explore offering an association health plan in the future. Concurrently, we are working on the language of both our regulatory board bills SB 2306 and SB 2353 to help protect the integrity of our North Dakota Board of Dental Examiners for the health and safety of the public.

The largest bill we are still monitoring is SB 2012, our DHS budget. We are involved in many talks around this piece of legislation and continue to advocate on the best delivery of our public assistance programs and administration for our dentists. Currently in the legislation there is a proposed 1% increase to our dental Medicaid codes. Additionally, there is some discussion to bring our Medicaid Expansion population in-house from our current MCO (Sanford Health). This change would provide for a dental benefit for North Dakotans in Medicaid Expansion where we currently do not have a dental benefit for this population. Alongside the Medicaid Expansion discussion is SB 2106 which has been proposed to bring the administration of our CHIP – Healthy Steps Program in-house from our current MCO (Delta Dental of Minnesota). We are engaging in conversations on all of this legislation on your behalf.

Finally, we were closely monitoring many of the regulatory board bills that failed (HB 1253, HB 1523, SB 2126, and SB 2127) which could have been burdensome to the licensure process or expose the public to health and safety concerns due to lack of autonomy for our board. Additionally, an opioid regulation bill failed that would have had minimal impact on our OMS providers regarding the prescribing of opioids.

### **Short titles to dental related bills the NDDA is following:**

HB 1063 - Relating to duration limits for opioid therapy and benzodiazepine; and to provide for application.

HB 1103 - Relating to licensure of an opioid treatment medication unit and fees; and to amend and reenact section 50-31-01 and subsection 1 of section 50-31-05 of the North Dakota Century Code, relating to the definition of medication unit and the licensure of substance abuse treatment programs.

HB 1106 - Relating to the establishment of an invisible reinsurance pool for the individual health insurance market; to amend and reenact subsection 2 of section 26.1-03-17 of the North Dakota Century Code, relating to premium taxes and credits for insurance companies; to provide for a legislative management study; to provide an expiration date; and to declare an emergency.

HB 1253 - Relating to a criminal conviction and state licensure.

HB 1426 - Relating to regulation of dental therapists; and to amend and reenact sections 43-20-01.1 and 43-20-08 of the North Dakota Century Code, relating to dental therapist definition and unlawful practice of dental hygiene, dental therapy, and dentistry.

HB 1523 - Relating to the operating fund balances of state agencies, departments, and institutions; to amend and reenact sections 4.1-44-03, 4.1-52-11, 4.1-72-07, and 54-44-12 of the North Dakota Century Code, relating to funds and accounts of agriculture commodity groups, occupational and professional boards, associations, and commissions; and to provide an effective date.

SB 2012 - Relating to peer support specialist certification and the establishment of a community behavioral health program; to amend and reenact section 50-24.1-37 of the North Dakota Century Code, relating to the Medicaid expansion program; to provide for transfers; to provide for a legislative management report; to provide for a legislative management study; to provide an exemption; and to declare an emergency.

SB 2102 - Relating to discount plans; and to repeal chapter 26.1-53 of the North Dakota Century Code, relating to discount medical plans.

SB 2106 - Relating to the children's health insurance program; to repeal section 50-29-06 of the North Dakota Century Code, relating to grants and donations for the children's health insurance program; and to provide an effective date.

SB 2126 - Relating to licensure of foreign practitioners of occupations and professions.

SB 2127 - Relating to regulation of the practice of occupations and professions by military dependents; and to amend and reenact sections 15.1-13-17, 27-11-01, 43-51-01, and 43-51-11.1 of the North Dakota Century Code, relating to regulation of occupations and professions.

SB 2143 - Relating to the health care professional student loan repayment program.

SB 2306 - Relating to occupational licensure of military members and military spouses; to amend and reenact sections 15.1-13-13, 15.1-13-17, 43-51-01, 43-51-11, and 43-51-11.1 of the North Dakota Century Code, relating to occupational licensure of military members and spouses; to provide a statement of legislative intent; to provide for a report to the legislative management; and to provide for a legislative management study.

SB 2353 - Relating to uniform regulation of occupations and professions; and to provide for a legislative management study.

Respectfully submitted by,

William Sherwin  
Executive Director  
North Dakota Dental Association