

# North Dakota

## County Responsibility for Indigent Health Care

While North Dakota state law clearly places the obligation to support the poor on county governments, it does so only “within the limits of the county human services appropriation.”<sup>1</sup> Along with this obligation to support the needy, state law also provides county governments with the ability to levy a tax that supports the county human services fund for the needy.<sup>2</sup> Money from this fund is expended by each county’s board of social services, which supervises and directs county public assistance programs.<sup>3</sup>

Health care and hospitalization is one of the support services that falls within the scope of the social services board’s responsibilities. State law requires the board to provide “necessary medical services” to any poor person within the county who is not cared for in a public institution.<sup>4</sup>

County agencies also have certain responsibilities under the Medical Assistance to Needy Persons program run by the Department of Human Resources. Specifically, county agencies must administer the medical support enforcement program supervised by the department of human resources.<sup>5</sup> Additionally, the county agency must investigate and record the circumstances of each person applying or receiving aid under the medical assistance program.<sup>6</sup>

County agencies are also responsible for providing transportation to crippled children so that they may travel to hospitals and clinics for medical examinations and treatment.<sup>7</sup>

## State Responsibility for Indigent Health Care.

### Insurance payments for AIDS patients

State law authorizes the department of human services to pay health insurance premiums, copayments and deductibles for people with AIDS, but only if such payment is determined to be less expensive than

---

<sup>1</sup> North Dakota Century Code § 50-01-01

<sup>2</sup> North Dakota Century Code §§ 50-03-01 to 50-03-07

<sup>3</sup> North Dakota Century Code §§ 50-01.2-01, 50-01.2-03

<sup>4</sup> North Dakota Century Code § 50-01-13. Insurance payments by the department.

<sup>5</sup> North Dakota Century Code § 50-24.1-03.1(1)

<sup>6</sup> North Dakota Century Code § 50-24.1-03.1(2)

<sup>7</sup> North Dakota Century Code § 50-10-09(3)

the cost of paying for future medical and economic assistance to that person.<sup>8</sup> The statutes give no guidance as to how to make such a determination.

### **Medical Assistance to Needy Persons<sup>9</sup>**

This set of statutes seeks to provide medical care and services to people unable to pay for such services, and to provide preventive and rehabilitative services to help people “to retain or attain capability for independence or self-care.”<sup>10</sup>

The rules and regulations regarding eligibility for this program are to be established by the department of human resources,<sup>11</sup> For children born before September 30, 1983, the income limit is one hundred percent of the poverty level in the month during which eligibility for the medical assistance program is being determined.<sup>12</sup>

---

<sup>8</sup> North Dakota Century Code § 50-06-06.9

<sup>9</sup> North Dakota Century Code §§ 50-24.1-01 to 50-24.1-13

<sup>10</sup> North Dakota Century Code § 50-24.1-01

<sup>11</sup> North Dakota Century Code § 50-24.1-02 (3)

<sup>12</sup> North Dakota Century Code § 50-24.1-02.6(3)