

CHAPTER 23-07.2 HEMOPHILIA ASSISTANCE

23-07.2-01. Definitions.

As used in this chapter, unless the context or subject matter otherwise requires:

1. "Hemophilia" means a bleeding tendency resulting from a genetically determined deficiency or abnormality of a blood plasma factor or component.
2. "State health officer" means the state health officer as defined in this title.

23-07.2-02. Blood disorder assistance program.

The department of health and human services shall establish a program of financial assistance to persons suffering from hemophilia and other related congenital bleeding disorders. The program shall assist those persons to purchase the blood derivatives and supplies necessary for home care.

23-07.2-03. Recovery from other sources.

The department of health and human services may enter into agreements with third parties, including any insurer or private sources, for recovery of payments for blood products and supplies used in home care by persons participating in the program.

23-07.2-04. Rulemaking authority.

The department of health and human services shall:

1. Establish a reasonable cost for blood products and supplies used in home care as a basis of reimbursement under this chapter.
2. Determine when reimbursement may not be made under this chapter for any blood products or supplies which are not purchased in compliance with regulations promulgated pursuant to this chapter. Reimbursement may not be made under this chapter for any portion of the costs of blood products or supplies which are payable under any other state or federal program or under any grant, contract, or any other contractual arrangement.
3. Define what constitutes "home care".
4. Define what constitutes "income", "net worth", and "patient eligibility" for assistance.
5. Provide guidelines to determine individual liability.
6. Adopt all rules necessary to implement subsections 1 through 5 pursuant to chapter 28-32.