

## **N.D. Cent. Code § 54-44.4-13. Cooperative purchasing: State Purchasing Practices**

Certain offices may enter into joint purchases of certain commodities or services. Cooperative purchasing may include open-ended contracts that are available to other government entities, nonprofit organizations established on behalf of public entities, tribal agencies, or transportation providers determined to be eligible under this section.

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## **N.D. Cent. Code § 23-27-04.10. Air ambulance services: Emergency Medical Services Operations Licenses**

Upon request of the department, a potential patient, or a potential patient's legal guardian, an air ambulance service provider shall provide that provider's fee schedule, including the base rate, per loaded mile rate, and any usual and customary charges.

The department shall compile and distribute this fee information to certain healthcare facilities in the state. Before a hospital refers a patient to an air ambulance service provider, the hospital shall make a reasonable effort to inform the patient or the patient's legal guardian of the fees for the air ambulance service providers licensed under this chapter. Possibly pre-empted by the ADA under Valley Med Flight, Inc. v. Dwelle, 171 F. Supp. 3d 930, 947 (D.N.D. 2016).

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## **N.D. Cent. Code §§ 26.1-49-01 through 26.1-49-08: Health Provider Cooperatives**

A health provider cooperative shall organize under chapter 10-15 unless otherwise provided in this chapter. After incorporation the health provider cooperative is subject to chapter 10-15 unless otherwise provided in this chapter. If a provision of this chapter conflicts with chapter

10-15, the provision of this chapter applies. A health provider cooperative organized under this chapter is not an insurance company under chapter 26.1-12, a health maintenance organization under chapter 26.1-18.1, or a nonprofit health service corporation under chapter 26.1-17. A health provider cooperative does not violate limitations on the corporate practice of medicine.

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## **N.D. Cent. Code § 26.1-01-07.4. Group health care coverage – Cooperative agreement allowed: Insurance Commissioner**

The insurance commissioner shall adopt rules to enable groups to form a cooperative that would allow those groups to purchase group health insurance coverage or to self-insure as one entity.

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## **N.D. Cent. Code § 26.1-01-11. Prescription drug assistance: Insurance Commissioner**

The insurance commissioner shall create and implement a program to assist individuals of low income to gain access to prescription medications through prescription drug assistance programs offered by pharmaceutical manufacturers, including free discount and coverage programs. The commissioner shall use available computer software programs that link an eligible individual with the appropriate pharmaceutical company patient assistance program relating to the individual's medically necessary drugs.

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## **N.D. Cent. Code §§ 51-08.1-01 through 51-08.1-12: Uniform State Antitrust Act**

Provides requirements of the Uniform State Antitrust Act.

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## **N.D. Cent. Code § 54-12-17. Consumer protection and antitrust division: Attorney General**

A consumer protection and antitrust division is created under the attorney general. This division consists of a director and such other personnel as may be appointed by the attorney general. The division shall act to enforce the consumer fraud laws and act with regard to the use or employment by any person of any deceptive act or practice, fraud, false pretense, false promise, or misrepresentation with the intent that others rely thereon in connection with the sale or advertisement of any merchandise, whether or not any person has in fact been misled, deceived, or damaged thereby, and shall make full investigation of such activities and maintain adequate facilities for filing reports, examining persons and merchandise in regard thereto, and storing impounded books, records, accounts, papers, and samples of merchandise relating to same. The division shall cooperate with other governmental agencies, national, state, or local, and with all peace officers of the state in regard thereto. The division also shall investigate antitrust violations and enforce antitrust laws.

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## **N.D. Cent. Code § 40-01-22. Antitrust immunity of cities and city governing bodies: Municipal Government: General Provisions**

All immunity of the state from the provisions of the Sherman Antitrust Act [Act July 2, 1890, c.647; 26 Stat. 209; 15 U.S.C. 1 et seq.] is hereby extended to any city or city governing body

acting within the scope of the grants of authority contained in sections 40-05-01, 40-05-02, and 40-05.1-06. When acting within the scope of the grants of authority contained in sections 40-05-01, 40-05-02, and 40-05.1-06, a city or city governing body shall be presumed to be acting in furtherance of state policy.

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## **N.D. Cent. Code §§ 51-09-01 through 51-09-06: Unfair Discrimination**

Any person, firm, company, association, corporation, or limited liability company, foreign or domestic, doing business in this state and engaged in the production, manufacture, or distribution of any commodity in general use, that, for the purpose of destroying the business of a competitor in any locality, intentionally shall discriminate between different sections, communities, or cities of this state by selling such commodity at a lower rate in one section, community, or city than is charged therefor by said party in another section, community, or city, after making due allowance for the difference, if any, in the grade or quality and in the actual cost of transportation from the point of production, if a raw product, or from the point of manufacture, if a manufactured product, is guilty of unfair discrimination.

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## **N.D. Cent. Code § 10-15-01. Definitions: North Dakota Cooperative Association Act**

Definitions related to Cooperative Agreements in ND