



## ABORTION SERVICES

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**This document is subject to change. Please check our web site for updates.**

This provider manual outlines policy and claims submission guidelines for claims submitted to the North Dakota Health Enterprise MMIS.

All claims for abortion services must be accompanied by documentation that establishes the reason why it was necessary to perform the abortion procedure. The information provided by the physician will be reviewed by the Department's medical consultant and the Director of Medical Services to determine to the satisfaction of the Department that the abortion was necessary to save the life of the woman or was the result of an act of rape or incest. If the documentation provided meets Departmental guidelines, payment will be approved. If the documentation does not meet these guidelines, the claim will be denied payment.

### DOCUMENTATION REQUIREMENTS

Abortions to Save the Life of the Woman - The treating physician must provide a signed written statement that, in the physician's professional judgment, the life of the woman would be endangered if the fetus were carried to term. The statement must contain the reasons why the physician believes the life of the woman would be in danger if the fetus were carried to term.

Abortions that are a Result of an Act of Rape or Incest - If a member has reported an act of rape or incest to an appropriate law enforcement agency or, in the case of a minor who is a victim of incest, to an agency authorized to receive child abuse and neglect reports, the physician must provide the Department with a signed written statement indicating that the rape or act of incest has been reported and to whom the report was made.

- If the rape or act of incest was not reported to an appropriate agency, the member must sign a written statement indicating that her current pregnancy resulted from either an act of rape or incest. The treating physician must provide a signed written verification that, in the physician's professional judgment, the woman's pregnancy resulted from rape or incest.
- North Dakota statutes specifically describe the crime of "incest." North Dakota statutes do not specifically describe the common law crime of "rape," which is

unlawful carnal knowledge of a female without her consent. North Dakota statutes prohibiting “gross sexual imposition,” “sexual imposition,” and “sexual abuse of a ward” all describe the common law crime of rape. Each of these statutes uses the term “sexual act.” You may wish to consult an attorney for assistance if you are not certain that the sexual act that produced the pregnancy was an act of rape or incest.

For specific rules on North Dakota Statutes please click on the link below:

[www.legis.nd.gov/cencode/t121c20.pdf](http://www.legis.nd.gov/cencode/t121c20.pdf)

Treatment for infection or other complications of the abortion are covered services.

## **BILLING GUIDELINES**

Providers must bill for services using the North Dakota Web Portal using the electronic claims submission web pages or Electronic Data Exchange transaction. The claim must include a valid National Provider Identification number (NPI) and taxonomy code.