15.0575.01000

FISCAL NOTE
Requested by Legislative Council
01/08/2015

Bill/Resolution No.: HB 1153

1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2013-2015 Biennium		2015-2017 Biennium		2017-2019 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues			$0			
Expenditures			$0	$2,500		
Appropriations			$0			

1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2013-2015 Biennium	2015-2017 Biennium	2017-2019 Biennium
Counties			
Cities			
School Districts			
Townships			

2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill changes the name of the Board of Medical Examiners to the North Dakota Board of Medicine.

B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

Our only costs will be one-time changes of the name on our website and database and some electronic certificates of licensure, and some change in hard copy document headings and seals. There will be no continuing costs once these initial changes are made.

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

Name: Duane Houdek
Agency: State Board of Medical Examiners
Telephone: 701.328.6500
Date Prepared: 01/14/2015

2015 HOUSE HUMAN SERVICES

HB 1153

2015 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee
Fort Union Room, State Capitol

HB 1153
1/19/2015
Job #22136

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature	Vicky Crabtree

Explanation or reason for introduction of bill/resolution:

To change the name of the medical examiners board of medicine.

Minutes:

Testimony 1

Chairman Weisz opened the hearing on HB 1153.

Rep. George Keiser: From District 47 in Bismarck introduced HB 1153. I was at a meeting with Duane Houdek and asked him why they were called medical examiners and he said we should change that, so here it is. This bill is to change the name of the board of medical examiners to the ND board of medicine.

Rep. Hofstad: Why did you choose the board of medicine? Won't there be more confusion?

Rep. Keiser: I didn't choose it. Duane did. I had a similar thought that the board of medicine covers all of the health care. That is the title they thought was most appropriate.

Duane Houdek: Executive secretary of the State Board of Medical Examiners testified in support of the bill. (See Testimony #1)

6:26
Chairman Weisz: When did you take over genetic counselors?

Houdek: Two years ago.

No Opposition

Chairman Weisz closed the hearing.

2015 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee
Fort Union Room, State Capitol

HB 1153
1/19/2015
Job #22162

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature	Vicky Crabtree

Explanation or reason for introduction of bill/resolution:

Changing the name of the board of medical examiners to the board of medicine.

Minutes:

"Click to enter attachment information."

Chairman Weisz: Let's look at HB 1153. A question came up if they should be called the board of medicine, but they do oversee other entities that aren't position.

Rep. Hofstad: I move a Do Pass on 1153.

Rep. Fehr: Second.

Roll Call: 12 y 0 n 1 absent

MOTION CARRIED

Bill Carrier: Rep. Seibel.

Date: 1-19-15
Roll Call Vote #: 1

2015 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1153

House Human Services Committee

☐ Subcommittee

Amendment LC# or Description: _____

Recommendation:
☐ Adopt Amendment
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Rep. Hofstad Seconded By Rep. Fehr

Representatives	Yes	No	Representatives	Yes	No
Chairman Weisz	✓		Rep. Mooney	✓	
Vice-Chair Hofstad	✓		Rep. Muscha	A	
Rep. Bert Anderson	✓		Rep. Oversen	✓	
Rep. Dick Anderson	✓				
Rep. Rich S. Becker	✓				
Rep. Damschen	✓				
Rep. Fehr	✓				
Rep. Kiefert	✓				
Rep. Porter	✓				
Rep. Seibel					

Total (Yes) 12 No 0

Absent 1

Floor Assignment Rep. Seibel

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1153: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1153 was placed on the Eleventh order on the calendar.

2015 SENATE GOVERNMENT AND VETERANS AFFAIRS

HB 1153

2015 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Missouri River Room, State Capitol

HB 1153
3/12/2015
Job # 24744

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature	Carie Wenings

Explanation or reason for introduction of bill/resolution:

A BILL for an Act to amend and reenact subdivision d of subsection 2 of section 12-60-24, subsection 1 of section 19-03.1-01.1, subsection 1 of section 19-03.3-01, subdivision f of subsection 2 of section 19-03.5-07, sections 23-23.1-01, 23-23.1-02, 23-34-03, 23-34-04, and 25-02-04, subsection 1 of section 26.1-14-04, subsection 1 of section 26.1-14-05, subsection 8 of section 26.1-26.4-04, subsection 1 of section 43-05-02, subsection 1 of section 43-13-13.3, sections 43-15-25.3 and 43-15-31.4, subsection 1 of section 43-17-01, sections 43-17-02, 43-17-02.2, 43-17-02.3, 43-17-03, 43-17-05, 43-17-07.1, and 43-17-26.1, subsection 7 of section 43-17-30.1, section 43-17.1-01, subsection 2 of section 43-17.1-05, section 43-17.1-05.1, subsection 7 of section 43-17.1-06, section 43-17.1-08, subsection 3 of section 43-17.2-01, subsection 3 of section 43-17.2-03, subsection 1 of section 43-17.3-01, subsection 7 of section 43-28-06, subsection 2 of section 43-39-10, subdivision g of subsection 1 of section 43-46-01, paragraph 6 of subdivision a of subsection 1 of section 43-51-01, subsection 2 of section 43-51-11, subsection 3 of section 43-60-01, and section 65-02-21.1 of the North Dakota Century Code, relating to changing the name of the board of medical examiners to the board of medicine.

Minutes: Attachments 1

Chairman Dever: Opened the hearing on HB 1153.

Representative Keiser, District 47: Testified as sponsor and in support of the bill. This bill is correcting very old terminology that is used in code. Initially when some boards were formed they would put examiners after that because their primary function was to give the test to certify that they were qualified to be a physician in the state. Obviously that whole process has changed dramatically. We actually get approved to be a physician through our college system but we do get licensed in the state that we practice in. This bill officially changes the name of the Board of Medical Examiners to the Board of Medicine in code. It makes great common sense. I just wish it did not take this kind of action to achieve it.

(2:40) Chairman Dever: Referred to a bill in HS. Are we running into issues using the word medicine in this context?

Representative Keiser: Medicine covers all health care providers. This board licenses and regulates physicians on the behalf of the citizens of the state of North Dakota.

Chairman Dever: Licenses by examination?

Representative Keiser: It licenses them through the credentials provided.

Senator Nelson: It is interesting to note that throughout code it is not consistent. They are not currently called the same thing throughout the code.

Chairman Dever: They will be now.

(5:15)Duane Houdek, Executive Secretary of the North Dakota Board of Medical Examiners: See Attachment #1 for testimony in support of the bill.

(8:23) Senator Nelson: What is the fiscal note for?

Duane Houdek: Just to change the name on the website, heading on stationary, etc.

Senator Flakoll: I believe at one time the seasoned medical doctors had to take the national test every ten years. Is that still the case?

Duane Houdek: That is a slightly different thing. That is for board certification. A physician can be licensed but be a new physician and not be eligible to be board certified in their specialty. Some of the specialty boards now have a lifetime certification.

Senator Marcellais: Do the PA's fall under this?

Duane Houdek: Yes they do.

Chairman Dever: You are not concerned that the term medicine is broader than just your scope?

Duane Houdek: No we really are not. It was very logical for us to begin to license PA's because when they started in 1997 they were assistants to physicians and it fit in our wheelhouse.

Chairman Dever: Closed the hearing on HB 1153.

2015 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Missouri River Room, State Capitol

HB 1153
3/12/2015
Job # 24760

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature	Carie Winings

Minutes: No Attachments

Chairman Dever: Opened HB 1153 for committee discussion.

Senator Flakoll: Moved a Do Pass.

Senator Nelson: Seconded.

Senator Flakoll: I did notice that on page 16, line 11 they still have psychologist examiners so it will give us something to look forward to changing in the future.

Chairman Dever: Actually that reference is workers comp.

A Roll Call Vote Was Taken: 7 yeas, 0 nays, 0 absent.

Motion Carried.

Senator Flakoll will carry the bill.

Date: 3/12
Roll Call Vote #: 1

2015 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1153

Senate Government and Veterans Affairs Committee

☐ Subcommittee

Amendment LC# or Description: _____

Recommendation: ☐ Adopt Amendment
☑ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Flakoll Seconded By Nelson

Senators	Yes	No	Senators	Yes	No
Chairman Dever	✓		Senator Marcellais	✓	
Vice Chairman Poolman	✓		Senator Nelson	✓	
Senator Cook	✓				
Senator Davison	✓				
Senator Flakoll	✓				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Flakoll

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1153: Government and Veterans Affairs Committee (Sen. Dever, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1153 was placed on the Fourteenth order on the calendar.

2015 TESTIMONY

HB 1153

#1

HOUSE HUMAN SERVICES COMMITTEE

HOUSE BILL NO. 1153

January 19, 2014

Testimony of State Board of Medical Examiners
Duane Houdek, executive secretary

Mr. Chairman, members of the House Human Services Committee, my name is Duane Houdek, executive secretary of the State Board of Medical Examiners and, if this bill passes and I don't get fired before August, soon to be the executive secretary of the North Dakota Board of Medicine.

I'd first like to thank Representatives Keiser and Becker and Senator Kilzer for sponsoring this bill which, in our 125th year, changes our name.

This name change is not going to mean much to anyone other than us, I suppose. But it is a step that causes us at the board to reflect with some nostalgia about our history. This legislative body created the State Board of Medical Examiners at the time of statehood in 1889. Our first meeting was in 1890. By that point, 739 medical licenses had already been granted under territorial laws, which started licensing physicians under the medical practice act of the Dakota Territory Code of 1869.

Since 1890, we have had a single purpose. As stated by an early secretary of the board, Dr. Geo. Williamson: "Generally speaking the state Medical Examining Board stands between the medical school graduate and the public. It is their business to protect the public against poorly trained physicians."

That is the business of the board to this day. And, although our mission remains the same, times change, and the name "medical examiners" has become an anachronism. We haven't examined anyone, in the sense of offering a licensing examination, for over 25 years. The licensing exam is now done nationally.

Today, we are mistaken for the state forensic medical examiner, and regularly get calls asking about autopsy results. So, to some extent, our current name is misleading to the public.

Thank you for your consideration of this bill. In North Dakota, we are blessed in the main with excellent, caring physicians. But in any group, there are always outliers. We look forward to another 125 years of protecting the citizens of North Dakota against poor medical practice through the thorough vetting of qualifications and vigorous prosecution of those who violate their oath and our medical practice act.

#1 pg 1

SENATE GOVERNMENT AND VETERANS AFFAIRS COMMITTEE

HOUSE BILL NO. 1153

March 12 , 2015

Testimony of State Board of Medical Examiners
Duane Houdek, executive secretary

Mr. Chairman, members of the Senate Government and Veterans Affairs Committee, my name is Duane Houdek, executive secretary of the State Board of Medical Examiners and, if this bill passes and I don't get fired before August, soon to be the executive secretary of the North Dakota Board of Medicine.

This name change is not going to mean much to anyone other than us, I suppose. But it is a step that causes us at the board to reflect upon our history. This legislative body created the State Board of Medical Examiners at the time of statehood in 1889. Our first meeting was in 1890. By that point, 739 medical licenses had already been granted under territorial laws, which started licensing physicians under the medical practice act of the Dakota Territory Code of 1869.

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