

2015 SENATE TRANSPORTATION

SB 2118

2015 SENATE STANDING COMMITTEE MINUTES

Transportation Committee
Lewis and Clark Room, State Capitol

SB 2118

1/9/2015

Recording job number 21782

Subcommittee Conference Committee

Committee Clerk Signature

Doris E. Peig

Explanation or reason for introduction of bill/resolution:

To amend and reenact subsection 4 of section 39-01-15 of the North Dakota Century Code, relating to mobility impaired parking privilege applications.

Minutes:

Attachment: 1

Chairman Oehlke opened the hearing on Bill 2118, all committee members were present.

Linda Sitz, Director of the Motor Vehicle Division of the North Dakota Department of Transportation (DOT). This bill allows DOT to accept signed authorization documents from Physician Assistants and Chiropractors to enhance customer service. Also allows the acceptance of an electronic statement authorizing the approval on the Mobility Impaired parking permit. See attached testimony #1.

Senator Rust: How do they approve the mobility impairment?

Linda Sitz: there are guidelines set up in the ND Century Code that physicians have to abide by. There are two types of placards: a temporary one (red colored) issued for just three months and a permanent placard or license plate (blue colored).

Chairman Oehlke: are there different qualifications/requirements for people who issue the permanent and the temporary?

Linda Sitz: no, the same person can do both.

No additional testimony

Chairman Oehlke closed the hearing

Senator Rust moved do pass. **Senator Campbell** seconded

Roll call vote was taken: Yes 6 No 0 Absent 0

Carrier: **Senator Rust**

REPORT OF STANDING COMMITTEE

SB 2118: Transportation Committee (Sen. Oehlke, Chairman) recommends DO PASS
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2118 was placed on the
Eleventh order on the calendar.

2015 HOUSE TRANSPORTATION

SB 2118

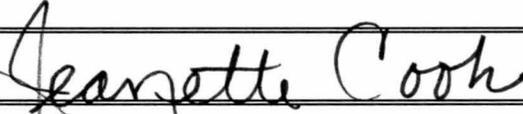
2015 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee
Fort Totten Room, State Capitol

SB 2118
3/5/2015
#24387

Subcommittee
Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A bill relating to mobility impaired parking privilege applications.

Minutes:

Attachment #1

Chairman Dan Ruby opened SB 2118 the hearing on SB 2118.

Linda Sitz, Director of Motor Vehicle Division, North Dakota Department of Transportation, spoke to introduce SB 2118 and to support the bill. See attachment #1.

Representative Marvin Nelson: Why aren't naturopaths on the list? Is that necessary, or is it the way that physicians are defined, and they would already be covered by that?

Linda Sitz: I don't know. We looked at the avenue of documentation that we are already getting, so that is what we enhanced it to.

Representative Gary Paur: Isn't chiropractor kind of pushing it?

Linda Sitz: We were looking at the documentation that we are already getting from citizens. Those were the two areas that weren't covered. Everyone has an opinion about whether chiropractors should be in there, but it is the documentation that we are receiving in.

Vice Chairman Lisa Meier: When a chiropractor issues a certificate to a patient, do they usually have a date that states the length of the certificate?

Linda Sitz: We actually have different categories. Basically, when it comes in, it is for a three year time period. It is coming due in December 2015. We have reversible permanent, non-reversible permanent, and temporary permits. The temporary are only good for 3 months. The reversible permanent needs a doctor's signature and must be signed every three years. If it is non-reversible, then it has been determined by a doctor that the condition is not going to reverse. All we need is the application with a signature.

Representative Kathy Hawken: I would think the chiropractic would almost always be temporary, but I think that chiropractors fit.

Representative Robin Weisz: Where does it state only a physician can issue a permanent?

Linda Sitz: I meant what it states in law, which includes chiropractic.

Representative Mike Schatz: If you get a temporary placard, it is 3 months, but a permanent one is for 3 years?

Linda Sitz: We use a vendor to order the permanent placards. We have them come in with the date. Right now, they mature on December 2015. So, the next time frame would come due three years from now. Those are considered permanent. We send out documentation, and we have had citizens that have passed away or no longer need the permanent placard.

Representative Mike Schatz: From three months to three years seems like a long time period. I know that some people take advantage of that, if they only need it for 9 months to a year, and they have a three year placard.

Linda Sitz: There are strict guidelines that the physicians have to follow to determine whether it is permanent or temporary. The doctor's signature has to go on this.

Vice Chairman Lisa Meier: Is there a fee associated with this handicapped placard?

Chairman Dan Ruby: It is \$3.00.

Representative Kathy Hawken: No other state charges \$3.00. Florida is \$25.00.

There was no further support for SB 2118.
There was no opposition to SB 2118.

The hearing on SB 2118 was closed.

Representative Rick C. Becker moved an amendment. (Strike the word "chiropractic throughout the bill.)

Representative Gary Paur seconded the motion.

Representative Robin Weisz: I also had a concern about chiropractic. Temporary wouldn't be a problem, but I struggle with a chiropractor being able to issue a permanent disability permit. I think at that point you should be in a doctor's office.

Chairman Dan Ruby: Would you have the same concern about a physician's assistant?

Representative Robin Weisz: No, not really.

Representative Rick C. Becker: The reason behind my motion is that the physician, nurse practitioner, and the physician's assistant are all within the realm of traditional western medicine, whereas, chiropractic is an alternative form of medicine, as are many others. I am not suggesting that they lack legitimacy or are not beneficial, but they are in a different realm. Traditional medicine does all the diagnoses, has the imaging studies, and all of that. The physician's assistant and the nurse practitioner are all right in line with what we expect. We even heard in testimony the word physician used for all of those. Chiropractic does not fall under that. It is opening up the camel's nose under the tent, in my opinion. I don't think it belongs here.

Representative Marvin Nelson: I will resist the motion. I think of our WSI workers. A WSI employer **can designate** a chiropractor as the **primary caregiver** for his business or even a naturopath. If it is a non-emergency thing, the employees have to go to him, or they won't be covered by WSI. Sometimes, after an accident, the WSI worker is treated by a chiropractor (the primary care). I don't think it is reasonable to make that person go to a doctor to get a handicapped tag. It seems like there will be a conflict in state law if we don't include chiropractor. It is fairly common, now, that an injured worker may be treated by a chiropractor. It would be unfair to make that injured person with mobility problems to have to go to another doctor to get this filled out, and it wouldn't be covered by WSI.

Representative Kathy Hawken: Chiropractors have a four year degree in addition to a four year degree after that. The education is equal to or more than a nurse practitioner.

Representative Rick C. Becker: To qualify under WSI for an injury is it that they only need to see a chiropractor or do they get in through the gateway using a traditional medical person, and then that worker says that they need to follow up with chiropractic care?

Marvin Nelson: If a worker has an injury, many of those injuries will go first to a chiropractor. That is sufficient under WSI. If it is a catastrophic type of injury where the ambulance comes, then that would go straight to a doctor. It is not unusual at all to have a claim that starts with the chiropractor.

Representative Chris Olson: Representative Rick C. Becker, would you be willing to amend your amendment to strike chiropractor from the first page and from line 8 on the second page, so that a chiropractor would not be allowed to grant a three year certificate, but just a three month certificate?

Representative Rick C. Becker: It certainly makes it a less egregious bill in my mind, but I would like to proceed with the motion. I am not comfortable to expanding into non-traditional forms of medicine. It seems like the accessibility to physicians is more than adequate.

**A roll call vote was taken on the amendment. Aye 5 Nay 7 Absent 2
The motion failed.**

Representative Mike Schatz: I think that three years is too long. I wish we had a temporary 3 month, a one year, and a three year. I think that would be a better solution to the problem. The way it is now, someone who will be immobile for 9 months, will get a 3

year handicapped placard. You get a temporary or a permanent. I think that there are too many people out there that have stickers and can park wherever they want to.

Representative Robin Weisz: They just have to renew their temporary as long as it is necessary if they need more than three months. They can't give you a three year unless it is permanent or reversible permanent. Do we really want someone who has a permanent disability to have to come in every year and get a renewal?

Chairman Dan Ruby: Especially when we are already losing money on the issuance.

Representative Mike Schatz: I disagree with that. I think they **can** issue a three year if it is over three months. It is up to the individual physician.

Representative Chris Olson moved an amendment that we strike the word chiropractor in the bill on page 1.

**Representative Robin Weisz seconded the motion.
A voice vote was taken. All aye. Motion carried.**

Representative Chris Olson moved an amendment to strike the words three years (line 20) and replace them with one year.

Representative Mike Schatz seconded the motion.

Representative Chris Olson: The reason for the motion is that if we allow electronic statements to be submitted by the physician, and it will a lot easier to renew these. Then, if there are some instances of abuse out there, it may eliminate some of that.

Representative Kathy Hawken: My concern would be with the people who have the non-reversible condition. If that motion would eliminate the non-reversible then I can't support it. I think that a person, who has a temporary condition, would just get an extension, as Representative Robin Weisz stated. I think that we may cause new issues by doing this.

Challis Williams clarified that the non-reversible would be cover in law.

Chairman Dan Ruby: By striking the "three years", does that change that?

Representative Robin Weisz: I am not sure that we understand the difference between the placard and the plate. Permanent is the plate. We may have all seen someone pull into a handicapped spot that doesn't seem to need it, but someone else could be driving the vehicle. It shouldn't be abused, but it happens. This will not change that.

Chairman Dan Ruby: On line 6 it says that they pay \$3.00 per year. If it is a three year permit, do they pay the \$3.00 every year?

Linda Sitz: That is correct. I just want to emphasize that we use a vendor to get the placards. It is a long process to get the permanent placards from the vendor. There are over 81,000 permanent placards. This is a manual process, and every three years my staff

has to handle this manually. So, if you change this to a yearly process, and it comes due in December, which is our largest month, I will not have the staff to handle 81,000 of these every year. We gear up for this when it comes due. We are negotiating with the vendors to get the placards for the next three years right now. It is a concern.

Representative Chris Olson: Thank you for your concern. When the three year placards expire, you have to issue them again in three years?

Linda Sitz: Yes, that is right. We actually need the doctor's signature on those if it is reversible permanent. If it has been determined by a doctor that it is not reversible, then the person can just sign it because it is all on record. We have cleaned up the records for those that no longer need the placards.

Representative Chris Olson: So, in your view, is three years the ideal number for the placards?

Linda Sitz: I am fine with three years. It is a manual process.

Vice Chairman Lisa Meier: It would also be a big hassle for the physician too. The patient would have to go into the physician to be reissued and costly as well.

Linda Sitz: We haven't set up the electronic process yet, we just want the authority to do it. Then we have to get the physicians to agree to send it to us electronically.

Representative Chris Olson I will withdraw my motion.

Representative Mike Schatz withdrew the second.

Representative Robin Weisz moved a DO PASS as amended on SB 2118.

Representative Lois Delmore seconded the motion.

A roll call vote was taken: Aye 11 Nay 1 Absent 2

The motion carried.

Representative Kathy Hawken will carry SB 2118.

2015 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee
Fort Totten Room, State Capitol

SB 2118
3/12/2015
#24732

Subcommittee
Conference Committee

Committee Clerk Signature

Jeannette Cook.

Explanation or reason for introduction of bill/resolution:

A bill relating to mobility impaired parking privilege applications.

Minutes:

Attachments 1-2

Chairman Dan Ruby brought SB 2118 back before the committee for reconsideration.

Vice Chairman Lisa Meier made a motion to reconsider SB 2118.
Representative Kathy Hawken seconded the motion.

A voice vote was taken. All aye. The motion carried.

Two pieces of testimony were provided to the committee from **Doctor Carol Winkler, North Dakota Chiropractic Association, and Dr. Brian Jongeward, D.C.** See attachments # 1-2.

Chairman Dan Ruby: As we were going through the discussion, the bill seemed to be adding the physician's assistants and the chiropractors to have the ability to sign the certificates for mobility impaired. We thought that we were expanding the people who could do this. The committee had discussion about limiting the chiropractors to assigning temporary permits, but not permanent parking placards. We as a committee still looked at that as an expansion. We immediately started getting e-mails after the amendment was made public. Most of the emphasis of the e-mails was asking, "Why are you restricting us, when we have been doing this for years?" I had an e-mail that had a link to a site, which was from dmv.org. It showed state by state regulations and showed in North Dakota the certification can be provided by licensed physician, chiropractor, physician's assistant, and advanced practice registered nurse. On the Department of Transportation website I found a question and answer section. On that site it also stated that a licensed physician, chiropractor, physician's assistant, and advanced practice registered nurse may sign the application for a mobility impaired placard. So, we were under the impression that we were broadening it, and actually what you were doing was seeking to get into code what you were already doing. That was not made clear to us. I am wondering why that wasn't clearly stated?

Linda Sitz: I am sorry for the misunderstanding. What had been brought to my attention was that in our Motor Vehicle Manual that documentation had been placed in there. But, there was nothing in North Dakota Century Code to back us up. We were having internal conversations that we shouldn't be able to do this if it wasn't in Code. Therefore, that is why we were bringing this forward because we were having some resistance from individuals that didn't think we should be allowing because it wasn't currently in law. It was just in a Motor Vehicle Manual, which I didn't realize at the time that we first started having the conversation. So, yes, we are trying to codify something that is in the Manual but not in Century code.

Chairman Dan Ruby: It wasn't in administrative rules either?

Linda Sitz: No, sir.

Representative Rick C. Becker: I have trouble with how this was handled. I get frustrated when we get misinformation from an agency. My perception is that the agency needs to change the law to accommodate what they are doing. When in fact, at the first sign that you realized that you were not conforming to the Century Code, you should have stopped, and then brought it to our attention. I think this was a significant omission.

Chairman Dan Ruby: We were confused when we started receiving e-mails, and it put us in a bad situation. Who writes the manual, and who would have put that in there (physician's assistants and chiropractors), when it wasn't even in Code?

Linda Sitz: There are various people that write information into the manual. I'm not even 100% sure when this particular section of Code was put into the Motor Vehicle Manual. I don't have the history on that.

Chairman Dan Ruby: If something like this ever happens again, please make it clearly stated that what we are doing is deciding if we agree with what is in practice and would like to continue it, or whether we would make the decision as a policy to discontinue what is being done. Obviously, we would want you to follow state law first. We as a policy committee need to know, first, how it is being done, and then, whether or not we approve that. It would have been unfortunate if the bill had gone through on the House floor. The committee had no intention of "sticking it to" the chiropractors. If this is the way it has been done for a long time, we would just as soon keep it this way, but I wish we had known that was the case. Thank you for coming back and clarifying the issue for us.

Linda Sitz: Again, I am sorry about the miscommunication.

Chairman Dan Ruby: Thank you.

Representative Kathy Hawken made a motion to remove the amendment on SB 2118. Representative Lois Delmore seconded the motion.

Representative Gary Paur: I am comfortable with the way the bill is. I will resist the motion.

Chairman Dan Ruby: Ken, do you know how long this has been allowed?

Ken Tupa, registered lobbyist with the North Dakota Chiropractic Association (local chiropractors with him): We do not know when this began, but we do know that it has been years.

Vice Chairman Lisa Meier: Do you mostly issue temporary certificates, or what are your criteria?

Carol Winkler: It would depend on what clinically presents. The temporary is if they have something that that would require a minimal time frame. Permanent would be more permanent. It depends upon the condition.

Representative Rick C. Becker: Would you say that there is an understood time frame in which you would recommend a permanent placard?

Carol Winkler: I don't know the answer to that question. I think there is a gray zone between three months and three years.

Chairman Dan Ruby: Do you often feel pressured by people to sign the applications

Carol Winkler: Personally, no. I am not afraid to say that I don't feel someone is qualified.

**A roll call vote was taken on removal of the amendment. Aye 12 Nay 0 Absent 2
The motion carried. (Roll call vote #2)**

**Representative Kathy Hawken moved a DO PASS on SB 2118.
Vice Chairman Lisa Meier seconded the motion.**

**A roll call vote was taken on SB 2118. Aye 11 Nay 1 Absent 2
The motion passed.**

Representative Kathy Hawken will carry SB 2118.

March 5, 2015

PROPOSED AMENDMENTS TO SENATE BILL NO. 2118

Page 1, line 9, remove "chiropractor."

Page 1, line 12, remove "chiropractor."

Page 1, line 15, remove "chiropractor."

Page 1, line 17, remove "chiropractor's."

Page 1, line 21, remove "chiropractor."

Renumber accordingly

3/5/15

Date: Click here to enter a date.
Roll Call Vote #: "Enter Vote #" /

2015 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. "Enter Bill/Resolution No." *SB/ 2118*

House Transportation 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 *Becker* Seconded By *Paur*

Representatives	Yes	No	Representatives	Yes	No
Chairman Dan Ruby	X		Rep. Lois Delmore		X
Vice Chair. Lisa Meier		X	Ben Hanson		X
Rick C. Becker	X		Marvin E. Nelson		X
Robert Frantsvog	A				
Kathy Hawken		X			
Christopher D. Olson		X			
Mark S. Owens	A				
Gary Paur	X				
Mike Schatz	X				
Gary R. Sukat		X			
Robin Weisz	X				

Handwritten signature/initials

Total (Yes) 5 No 7

Absent 2

Floor Assignment _____

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

Take chiropractor out of total bill.

3-5-15
 Date: Click here to enter a date.
 Roll Call Vote #: "Enter Vote #" 2

**2015 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. "Enter Bill/Resolution No." SB2118**

House Transportation Committee

Subcommittee

Amendment LC# or Description: 15.8074.01001

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 Olson Seconded By Weisz

Representatives	Yes	No	Representatives	Yes	No
Chairman Dan Ruby			Rep. Lois Delmore		
Vice Chair. Lisa Meier			Ben Hanson		
Rick C. Becker			Marvin E. Nelson		
Robert Frantsvog	A				
Kathy Hawken					
Christopher D. Olson					
Mark S. Owens	A				
Gary Paur					
Mike Schatz					
Gary R. Sukat					
Robin Weisz					

Voice
Vote
Always

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

Remove chiropractor p. 1
 Lines 9, 12, 15, 17, and 21

**2015 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES**
 BILL/RESOLUTION NO. "Enter Bill/Resolution No." SB/2118

House Transportation Committee

Subcommittee

Amendment LC# or Description: 15.8074.01001

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 Weisz Seconded By Delmore

Representatives	Yes	No	Representatives	Yes	No
Chairman Dan Ruby	X		Rep. Lois Delmore	X	
Vice Chair. Lisa Meier	X		Ben Hanson	X	
Rick C. Becker		X	Marvin E. Nelson	X	
Robert Frantsvog	A				
Kathy Hawken	X				
Christopher D. Olson	X				
Mark S. Owens	A				
Gary Paur	X				
Mike Schatz	X				
Gary R. Sukat	X				
Robin Weisz	X				

Total (Yes) 11 No 1

Absent 2

Floor Assignment Hawken

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

3-12-15

Date: Click here to enter a date.
Roll Call Vote #: "Enter Vote #" ↓

2015 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. "Enter Bill/Resolution No."

SIB 2118
2118

House Transportation 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 Meier Seconded By Hawken

Representatives	Yes	No	Representatives	Yes	No
Chairman Dan Ruby			Rep. Lois Delmore		
Vice Chair. Lisa Meier			Ben Hanson		
Rick C. Becker			Marvin E. Nelson		
Robert Frantsvog					
Kathy Hawken					
Christopher D. Olson					
Mark S. Owens					
Gary Paur					
Mike Schatz					
Gary R. Sukat					
Robin Weisz					

*Void vote
All aye
Carried*

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

**2015 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES**
 BILL/RESOLUTION NO. "Enter Bill/Resolution No." SB 2118

House Transportation 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 Remove amendment

Motion Made By Hawken Seconded By Delmore

Representatives	Yes	No	Representatives	Yes	No
Chairman Dan Ruby	X		Rep. Lois Delmore	X	
Vice Chair. Lisa Meier	X		Ben Hanson	X	
Rick C. Becker	X		Marvin E. Nelson	X	
Robert Frantsvog	A				
Kathy Hawken	X				
Christopher D. Olson	A				
Mark S. Owens	X				
Gary Paur	X				
Mike Schatz	X				
Gary R. Sukat	X				
Robin Weisz	X				

Total (Yes) 12 No 0

Absent 2

Floor Assignment _____

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

Remove: The actions of the amendment
 Vote #1

**2015 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. "Enter Bill/Resolution No." SB 2118**

House Transportation 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 Hawken Seconded By Meier

Representatives	Yes	No	Representatives	Yes	No
Chairman Dan Ruby	X		Rep. Lois Delmore	X	
Vice Chair. Lisa Meier	X		Ben Hanson	X	
Rick C. Becker	X		Marvin E. Nelson	X	
Robert Frantsvog	A				
Kathy Hawken	X				
Christopher D. Olson	A				
Mark S. Owens	X				
Gary Paur		X			
Mike Schatz	X				
Gary R. Sukat	X				
Robin Weisz	X				

Total (Yes) 11 No 1

Absent 2

Floor Assignment Hawken

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

REPORT OF STANDING COMMITTEE

SB 2118: Transportation Committee (Rep. Ruby, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 1 NAYS, 2 ABSENT AND NOT VOTING). SB 2118 was placed on the Sixth order on the calendar.

Page 1, line 9, remove "chiropractor."

Page 1, line 12, remove "chiropractor."

Page 1, line 15, remove "chiropractor."

Page 1, line 17, remove "chiropractor's."

Page 1, line 21, remove "chiropractor."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2118: Transportation Committee (Rep. Ruby, Chairman) recommends DO PASS
(11 YEAS, 1 NAYS, 2 ABSENT AND NOT VOTING). SB 2118 was placed on the
Fourteenth order on the calendar.

2015 TESTIMONY

SB 2118

#1

Senate Transportation COMMITTEE
January 9, 2015 – 9:00 a.m. – Lewis and Clark

North Dakota Department of Transportation
Linda Sitz, Director of Motor Vehicle Division
Senate Bill 2118

Mr. Chairman and members of the committee - I'm Linda Sitz, Director of the Motor Vehicle Division at the North Dakota Department of Transportation (DOT). Thank you for giving me the opportunity to present information to you today.

SB 2118 is presented by the DOT to enhance and expand the authorization of medical personnel that can approve documentation for the Mobility Impaired parking permit. In previous years, Motor Vehicle had been turning away customer when they came into our offices without the proper signature. The customer needed to go back to their physician and obtain the proper signature in order for Motor Vehicle to process the paperwork. This resulted in customer dissatisfaction as well as delays for the customer who needed to have the Mobility Impaired parking permit. The reason for the proposed change is to better serve our customers.

This bill allows DOT to accept the signed authorization documentation from Physician Assistants and Chiropractors to enhance customer service. The bill would also allow DOT to work with medical personnel to accept an electronic statement authorizing the approval on the Mobility Impaired parking permit. This will assist when the customer forgets to bring in the signed document from their medical provider.

Mr. Chairman, I would be happy to answer any questions at this time. Thank you.

SB 2118

3-5-15

#1

House Transportation COMMITTEE
March 5, 2015 – 10:00 a.m. – Fort Totten Room

North Dakota Department of Transportation
Linda Sitz, Director of Motor Vehicle Division
Senate Bill 2118

Mr. Chairman and members of the committee - I'm Linda Sitz, Director of the Motor Vehicle Division at the North Dakota Department of Transportation (DOT). Thank you for giving me the opportunity to present information to you today.

SB 2118 is presented by the DOT to enhance and expand the authorization of medical personnel that can approve documentation for the Mobility Impaired parking permit. In previous years, Motor Vehicle had to turn away customer when they came into our offices without the proper signature. The customer then needed to go back to their physician and obtain the proper signature in order for Motor Vehicle to process the paperwork. This resulted in customer dissatisfaction as well as delays for the customer who needed to have the Mobility Impaired parking permit. The reason for the proposed change is to better serve our customers.

This bill allows DOT to accept the signed authorization documentation from Physician Assistants and Chiropractors to enhance customer service. The bill would also allow DOT to work with medical personnel to accept an electronic statement authorizing the approval on the Mobility Impaired parking permit. This will assist when the customer forgets to bring in the signed document from their medical provider.

Mr. Chairman, I would be happy to answer any questions at this time. Thank you.

SB 2118
3-12-15
#1

SB 2118

House Transportation Committee

March 12, 2015

Good Morning Chairman Ruby and members of the House Transportation Committee,

My name is Dr. Carol Winkler and I am here representing the North Dakota Chiropractic Association and we thank you for the opportunity to provide comment and additional information regarding amended SB2118. I practice here in Bismarck and am a previous member of the North Dakota Board of Chiropractic Examiners, serving from 2003-2013.

I would like to thank you for bringing this SB2118 back to committee so our profession can speak to this issue.

We are in favor of the original bill language. Chiropractors have been signing these impaired mobility permits for years without complaint from the DOT or harm to the public. Chiropractors are fully qualified to sign these permits, both temporary and permanent. Based on our training and experience, chiropractors have the expertise to rightfully judge whether there is a clinical need to sign these permits. To my knowledge, our association has never heard of a complaint of abusing this privilege or causing harm to the public. Certainly, if we can sign temporary permits as the amendment states, we are equally qualified to sign a permanent permit.

I really appreciate being able to speak on the behalf of Chiropractic for this bill. Our association is willing to provide additional information to your committee regarding this amendment, if needed.

Thank you for your time and consideration of SB2118. I would be happy to entertain any questions in this matter.

SB2118
3-12-15
#2

SB2118 Amendment

Dr. Brian Jongeward [drbrian@chirocenterone.com]

Sent: Friday, March 06, 2015 3:00 PM

To: Delmore, Lois M.

Dear Representative Delmore,

I am writing to you in regards to the amendment to SB2118 to disallow Doctors of Chiropractic from signing "mobility-impaired application" through the D.O.T. Please reconsider this amendment.

1. Doctors of Chiropractic qualifications are comparative to a Medical Doctor. Our difference is the prescriptions of medication.

2. Doctors of Chiropractic complete disability evaluations and ratings for Workforce Safety & Insurance and many other insurance companies.

3. Doctors of Chiropractic as Primary Care Physicians with many insurance companies.

4. Doctors of Chiropractic are examining many patients in the rural areas and it is cost effective to have them complete these permits for their patients that qualify. In some of the rural areas Doctors of Chiropractic are the only health care provider.

5. Doctors of Chiropractic are qualified to complete D.O.T. physicals.

6. Signing these forms is not a financial advantage for the Doctor of Chiropractic.

Thank you for hearing our concerns on this matter.

Brian V. Jongeward, D.C.