

**Sixty-sixth Legislative Assembly of North Dakota
In Regular Session Commencing Thursday, January 3, 2019**

HOUSE BILL NO. 1279
(Representatives Beadle, Buffalo)
(Senator J. Roers)

AN ACT to amend and reenact sections 43-06-03 and 43-06-04 of the North Dakota Century Code, relating to membership of the board of chiropractic examiners; and to provide for application.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 43-06-03 of the North Dakota Century Code is amended and reenacted as follows:

43-06-03. State board of chiropractic examiners - Members - Appointment - Qualifications.

1. The state board of chiropractic examiners ~~shall consist of five~~consists of seven members appointed by the governor. The members are:
 - a. Five doctors of chiropractic;
 - b. One certified chiropractic clinical assistant; and
 - c. One consumer member.
2. Each ~~person~~doctor of chiropractic appointed must:
 1. a. Have a license to practice chiropractic in North Dakota.
 2. b. Have been a resident of this state and have practiced chiropractic in this state for at least five consecutive years immediately before appointment to the board.
 3. c. Remain a resident of this state and continue in active practice in this state during the term of office.
 - d. Be a licensee in good standing and must not be the subject of a pending investigation by the board for violations under this chapter.
3. Each certified chiropractic clinical assistant appointed must:
 - a. Be certified as a chiropractic clinical assistant and meet the requirements of section 43-06-16.1.
 - b. Be actively engaged in the practice of a certified chiropractic clinical assistant in the state for at least one year immediately preceding appointment to the board.
4. Each consumer member appointed:
 - a. Must be a resident of the state for at least five years immediately preceding appointment to the board.
 - b. May not have personal or familial financial relationships to the chiropractic profession.
 - c. May not be, and may not be a spouse of, a doctor of chiropractic, certified chiropractic clinical assistant, or licensed health care professional.

5. An individual appointed to the board as a certified chiropractic clinical assistant may not participate in any activities related to the clinical examination of chiropractic licensure applicants.
6. An individual appointed to the board as a consumer may not participate in any activities related to the clinical examination of chiropractic or certified chiropractic clinical assistant licensure applicants.

SECTION 2. AMENDMENT. Section 43-06-04 of the North Dakota Century Code is amended and reenacted as follows:

43-06-04. Board of chiropractic examiners - Members - Term of office.

1. Each member of the board shall qualify by taking the oath of office required of civil officers and shall hold office for a term of five years and until the member's successor is appointed and qualified. The terms of office of the members of the board must be so arranged that ~~one term~~ and only one term expires on the thirty-first day of August of ~~each~~any year except:
 - a. Every fifth year, the governor shall appoint a doctor of chiropractic and a certified chiropractic clinical assistant to the board.
 - b. Two years after the appointments in subdivision a, the governor shall appoint a doctor of chiropractic and a consumer member to the board.
2. A member may not serve for more than two consecutive five-year terms.
3. If a member of the board is absent from two consecutive regular meetings, the board may declare a vacancy. Vacancies on the board must be filled by appointment by the governor. ~~When a vacancy occurs on the board by expiration of the term, death, or resignation of a member, or removal for other cause, the North Dakota chiropractic association shall nominate, by procedure adopted in the bylaws of said association, to the governor three qualified persons for each vacancy. The governor shall appoint a member to fill the vacancy on the board from the three nominees.~~

SECTION 3. APPLICATION. This Act applies to appointments made to the board of chiropractic examiners after July 31, 2019.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-sixth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1279.

House Vote: Yeas 91 Nays 0 Absent 3

Senate Vote: Yeas 45 Nays 0 Absent 1

Chief Clerk of the House

Received by the Governor at _____ M. on _____, 2019.

Approved at _____ M. on _____, 2019.

Governor

Filed in this office this _____ day of _____, 2019,

at _____ o'clock _____ M.

Secretary of State