



NORTH DAKOTA BOARD OF MEDICINE

AUG 25 2017

Bonnie Storbakken
Executive Secretary

Lynette McDonald
Deputy Executive Secretary

Established 1890

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August 24, 2017

Vonette Richter
Assistant Code Revisor
Legislative Council
600 East Boulevard, 2nd Floor
Bismarck, ND 58505-0360

Dear Ms. Richter:

Enclosed please find our notice of intent to enact administrative rules. This is being sent to publication today and the hearing will be held on September 27, 2017. I am requesting this be placed on the legislative calendar as per the requirement within the administrative rule process. As you can see from the notice the comment period will close October 9, 2017. After that time our Board will review the comments and forward to you and the Attorney General the final rules for placement on the Administrative Rules Committee's calendar.

Please do not hesitate to contact me directly with any questions or comments you may have in this regard.

Respectfully,

A handwritten signature in blue ink, appearing to read "Bonnie Storbakken".

Bonnie Storbakken
Executive Secretary

cc: Edward Erickson
Attorney at Law

Mission Statement

The Board's mission is to protect the public's health, safety and welfare by regulating the practice of medicine, thereby ensuring quality health care for the citizens of this state.

**NOTICE OF INTENT TO ENACT ADMINISTRATIVE RULES RELATING TO THE PRACTICE OF
TELEMEDICINE AND TO THE ISSUANCE OF ADMINISTRATIVE MEDICAL LICENSES, AND TO
ENACT ADMINISTRATIVE RULES RELATING TO PDMP REPORTING REQUIREMENTS, AND TO
AMEND AN ADMINISTRATIVE RULE RELATING TO SPECIAL MEDICAL LICENSES, AND TO
AMEND ADMINISTRATIVE RULES RELATING TO THE SUPERVISING PHYSICIAN FOR PHYSICIAN
ASSISTANTS.**

PLEASE TAKE NOTICE that the North Dakota Board of Medicine will hold a public hearing to address the proposed enactment and amendment of administrative rules, as explained below, at 9:00 o'clock, a.m., September 27th, 2017, at the board office, 418 East Broadway Ave., Suite 12, Bismarck, North Dakota.

The purpose of the enactment of proposed rule 50-02-15-01, NDAC, relating to the practice of telemedicine, is to codify the licensing, standard of care and ethical requirements, and prescribing requirements for physicians and physician assistants who are practicing telemedicine in North Dakota.

The purpose of the enactment of 50-02-02.1, NDAC, relating to the issuance of administrative medical licenses, is to provide a license for those physicians who do not choose to practice clinical medicine, but wish to be licensed in North Dakota for administrative or managerial purposes.

The purpose of the amendment of 50-02-02-01, NDAC, Special license requirements, is to clarify the situations in which the board may issue a medical license to an applicant who does not meet all technical eligibility requirements and to outline the considerations the board shall make in issuing a special medical license.

The purpose of the enactment 50-05-02, NDAC, PDMP Rule, is to ensure proper reporting to the state data bank of prescriptions for controlled substances.

The purpose for the amendment to 50-03-01-03 NDAC relating to the supervision contract requirements for physician assistants is to clarify the need for only the primary supervising physician to provide the supervision contract to the Board of Medicine.

The purpose of the amendment to 54-03-01-05 NDAC relating to the designation of a substitute primary supervising physician is meant to clarify the need to have a substitute

primary supervising physician designated and approved by the board in the instances provided in the rule.

The proposed rule relating to the practice of telemedicine may have an undetermined impact on members of the regulated community who do not meet the proposed requirements for the practice of telemedicine.

The proposed rules and regulatory analysis may be reviewed in person at the office of the North Dakota Board of Medicine, 418 East Broadway Ave., Suite 12, Bismarck, North Dakota, or on the Board's website at www.ndbom.org. A copy of the proposed rules and regulatory analysis may be requested by writing the above mailing address or by calling (701)328-6500.

Written or oral comments about the proposed rules sent to the above address, called in to the telephone number listed above, or emailed to bstorbakken@ndbom.org, and received by October 9, 2017 will be fully considered. If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the board at the above telephone number or address at least five days prior to the public hearing.

Dated this 24th day of August, 2017.