

Fifty-fifth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2060

Introduced by

Senator Lips

1 A BILL for an Act to amend and reenact section 43-05-15, subdivision o of subsection 1 of
2 section 43-05-16, subsection 4 of section 43-05-16.1, and subsection 1 of section 43-05-16.5 of
3 the North Dakota Century Code, relating to licensing and disciplining of podiatrists.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 43-05-15 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **43-05-15. Renewal of license - Fee - Established by board - Failure to pay -**

8 **Reinstatement.** Each licensed and practicing podiatrist shall pay the annual renewal license
9 fee established by the board. ~~The license fee may be increased in accordance with the number~~
10 ~~of years licensed and practicing in North Dakota, but may not exceed five hundred dollars.~~ The
11 fee must be paid on or before the renewal date established by the board. The person is entitled
12 to an annual certificate or license upon payment of the fee. If the renewal fee is not paid within
13 six months after the date established by the board, the license of the delinquent licensee must
14 be revoked and may not be reissued except upon a new application and the payment of the
15 renewal fee established by the board plus twenty-five dollars and the costs of any hearing held
16 concerning revocation of a license for nonpayment.

17 **SECTION 2. AMENDMENT.** Subdivision o of subsection 1 of section 43-05-16 of the
18 North Dakota Century Code is amended and reenacted as follows:

19 o. ~~Accepting, paying, or promising to pay a part of a fee in exchange for patient~~
20 ~~referrals; obtaining any fee by fraud, deceit, or misrepresentation; or the~~
21 ~~payment or receipt, Except for the lawful distribution of professional~~
22 ~~partnerships, corporations, limited liability companies, or associations, paying~~
23 ~~or receiving, directly or indirectly, of any fee, commission, rebate, or other~~

1 compensation for medical services not actually or personally rendered, or for
2 patient referrals.

3 **SECTION 3. AMENDMENT.** Subsection 4 of section 43-05-16.1 of the North Dakota
4 Century Code is amended and reenacted as follows:

5 4. Impose a civil penalty not exceeding ten thousand dollars for each violation, the
6 amount of the civil penalty fixed so as to deprive the podiatrist of any economic
7 advantage gained by the violation or to reimburse the board for attorney's fees and
8 the cost of the investigation and proceeding.

9 **SECTION 4. AMENDMENT.** Subsection 1 of section 43-05-16.5 of the North Dakota
10 Century Code is amended and reenacted as follows:

11 1. A person who has knowledge of any conduct constituting grounds for discipline
12 under this chapter ~~may~~ shall report the violation to the board.