

Fifty-fifth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1239

Introduced by

Representative Keiser

Senator W. Stenehjem

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; and to
4 declare an emergency.

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

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

8 **43-05-15. Renewal of license - Fee - Established by board - Failure to pay -**
9 **Reinstatement.** Each licensed and practicing podiatrist shall pay the annual renewal license
10 fee established by the board. The license fee ~~may be increased in accordance with the number~~
11 ~~of years licensed and practicing in North Dakota, but~~ may not exceed five hundred dollars. The
12 fee must be paid on or before the renewal date established by the board. The person is entitled
13 to an annual certificate or license upon payment of the fee. If the renewal fee is not paid within
14 six months after the date established by the board, the license of the delinquent licensee must
15 be revoked and may not be reissued except upon a new application and the payment of the
16 renewal fee established by the board plus twenty-five dollars and the costs of any hearing held
17 concerning revocation of a license for nonpayment.

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

20 o. Accepting, paying, or promising to pay a part of a fee in exchange for patient
21 referrals; obtaining any fee by fraud, deceit, or misrepresentation; or ~~the~~
22 ~~payment or receipt~~ paying or receiving, directly or indirectly, ~~of~~ any fee,
23 commission, rebate, or other compensation for services not actually or

1 personally rendered, except for the lawful distribution of compensation or fees
2 within a professional partnership, corporation, or association.

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.

13 **SECTION 5. EMERGENCY.** This Act is declared to be an emergency measure.