

Introduced by

1 A BILL for an Act to create and enact a new chapter to title 43 of the North Dakota Century
2 Code, relating to the registration of practitioners of acupuncture; and to provide for a penalty.

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

4 **SECTION 1.** A new chapter to title 43 of the North Dakota Century Code is created and
5 enacted as follows:

6 **Definitions.** In this chapter, unless the context otherwise requires:

- 7 1. "Acupuncture" means the insertion and manipulation of needles to an individual's
8 body for the prevention, cure, or correction of any disease, illness, injury, pain, or
9 other condition. The term does not include the insertion and manipulation of
10 needles to an animal's body.
11 2. "Certificate of registration" means a document issued by the registrar to a person
12 that meets the acupuncture registration requirements under this chapter.
13 3. "Registrant" means a person that holds a valid certificate of registration.
14 4. "Registrar" means the state department of health.

15 **Registration agency.** The state department of health shall receive acupuncture
16 registration applications and shall issue certificates of registration to qualified applicants.

17 **Acupuncture registration - Exceptions.** Effective January 1, 2008, a person may not
18 practice acupuncture or hold oneself out as practicing acupuncture in this state unless that
19 person holds a valid certificate of registration issued by the registrar under this chapter. The
20 registration provisions of this chapter do not apply to licensed practitioners of professions which
21 practice acupuncture within the scope of practice of the profession for which they are licensed,
22 including physicians and chiropractors. This chapter does not exempt a person that practices
23 acupuncture within the scope of practice of a profession for which that person is licensed from
24 the regulatory provisions of that licensed profession.

Application for registration - Fees - Renewal.

1. To obtain a certificate of registration under this chapter, an applicant shall submit to the registrar a completed application, on forms the registrar prescribes, and shall pay the annual registration fee of one hundred dollars. A qualified applicant must be at least eighteen years of age.
2. Upon receipt of a completed application and the registration fee submitted by a qualified applicant, the registrar shall issue a certificate of registration to the applicant.
3. A certificate of registration is valid through December thirty-first of the year for which it is issued. A registrant shall renew the registration annually by submitting to the registrar the required renewal form, as prescribed by the registrar, and a renewal fee of one hundred dollars.

Registrant duties - Rules - Deposit of fees.

1. The registrar shall designate on the certificate of registration whether the registrant is a diplomate in good standing of the national certification commission for acupuncture and oriental medicine, its successor organization, or a comparable organization as may be determined by the registrar.
2. The state health council may adopt rules as appropriate to implement this chapter.
3. Any moneys the registrar collects as registration fees or renewal fees under this chapter must be deposited in the state department of health operating fund in the state treasury and must be spent subject to appropriation by the legislative assembly.

Penalty. Any person that fails to obtain a certificate of registration as required under this chapter is guilty of a class B misdemeanor.