

Fifty-ninth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1467

Introduced by

Representatives Boe, Nelson, Nicholas

Senators Bercier, Klein

1 A BILL for an Act to create and enact a new subsection to section 43-42-01, two new
2 subsections to section 43-42-03, and a new section to chapter 43-42 of the North Dakota
3 Century Code, relating to temporary licenses for respiratory therapy students; and to declare an
4 emergency.

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

6 **SECTION 1.** A new subsection to section 43-42-01 of the North Dakota Century Code
7 is created and enacted as follows:

8 "Student respiratory therapist" means a student currently enrolled in a
9 board-approved respiratory therapy educational program that is accredited and in
10 good standing with the commission on accreditation of allied health education
11 programs, or its successor organization, who holds a temporary license under
12 section 43-42-03.

13 **SECTION 2.** Two new subsections to section 43-42-03 of the North Dakota Century
14 Code are created and enacted as follows:

15 Notwithstanding subsection 3, the board shall issue a temporary license for an
16 applicant to practice as a student respiratory therapist if the applicant:

- 17 a. Is a student currently enrolled in a board-approved respiratory therapy
18 educational program, accredited and in good standing with the commission
19 on accreditation of allied health education programs, or its successor
20 organization.
- 21 b. Complies with board-established application instructions and requirements.
- 22 c. Pays the application, initial issuance, and renewal fees for a temporary
23 license.

1 The board shall renew a temporary license issued to a student respiratory therapist
2 if the health care institution and the student annually supply evidence to the board
3 of satisfactory and timely progress toward graduation. A temporary student
4 respiratory therapist license may be renewed annually for a maximum of four
5 years. On a case-by-case basis, the board may renew a license beyond the
6 four-year limit upon a showing of good cause.

7 **SECTION 3.** A new section to chapter 43-42 of the North Dakota Century Code is
8 created and enacted as follows:

9 **Student respiratory therapists.**

- 10 1. A student respiratory therapist may only perform procedures that have been part of
11 courses the student has successfully completed in the accredited program in which
12 the student is enrolled and for which the student's employing health care institution
13 has verified and documented competency.
- 14 2. A student respiratory therapist may only perform respiratory therapy procedures
15 under the proximate supervision or direction of a physician, certified or registered
16 respiratory therapist, registered nurse, physicians assistant, or nurse practitioner
17 who is physically close enough to be readily available if needed by the supervised
18 student.
- 19 3. A student respiratory therapist must be identified to the public as a student
20 respiratory therapist while working in a health care institution.
- 21 4. Upon graduation, a student respiratory therapist is subject to subsection 2 of
22 section 43-42-05 regarding application for a permanent license.

23 **SECTION 4. EMERGENCY.** This Act is declared to be an emergency measure.