

**FIRST ENGROSSMENT  
with Senate Amendments**

Sixtieth  
Legislative Assembly  
of North Dakota

**ENGROSSED HOUSE BILL NO. 1293**

Introduced by

Representatives Keiser, Porter

1 A BILL for an Act to create and enact a new section to chapter 43-17 and two new subsections  
2 to section 43-28-02 of the North Dakota Century Code, relating to the application of topical  
3 fluoride varnish and exemptions to the regulation of dentists; and to declare an emergency.

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

5 **SECTION 1.** A new section to chapter 43-17 of the North Dakota Century Code is  
6 created and enacted as follows:

7 **Topical fluoride varnish.** A licensed physician or physician assistant may apply  
8 topical fluoride varnish to an individual in accordance with rules adopted by the board.

9 **SECTION 2.** Two new subsections to section 43-28-02 of the North Dakota Century  
10 Code are created and enacted as follows:

11 To a registered nurse, licensed practical nurse, registered dental hygienist, or  
12 registered dental assistant who is applying topical fluoride varnish to an individual  
13 and is acting under the direct or general supervision of a physician or licensed  
14 dentist if the registered nurse, licensed practical nurse, registered dental hygienist,  
15 or registered dental assistant has successfully completed a training program  
16 approved by the board.

17 To an advanced practice registered nurse licensed under chapter 43-12.1 who is  
18 applying topical fluoride varnish to an individual and is acting within the scope of  
19 practice of the advanced practice registered nurse and has successfully completed  
20 a training program approved by the board.

21 **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.