

HOUSE BILL NO. 1269

Introduced by

Representatives Kreidt, Pollert, Weisz, Wieland

Senators Fischer, J. Lee

1 A BILL for an Act to amend and reenact section 43-12.1-14 of the North Dakota Century Code,
2 relating to discipline of an unlicensed assistive person practicing without registration.

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

4 **SECTION 1. AMENDMENT.** Section 43-12.1-14 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **43-12.1-14. Grounds for discipline - Penalties.**

7 1. The board may deny, limit, revoke, encumber, or suspend any license or
8 registration to practice nursing issued by the board or applied for in accordance
9 with this chapter; reprimand, place on probation, or otherwise discipline a licensee,
10 registrant, or applicant; deny admission to licensure or registration examination;
11 provide an alternative to discipline in situations involving impairments of chemical
12 dependency or psychiatric or physical disorders; or require evidence of evaluation
13 and treatment, upon proof that the person:

14 ~~1.~~ a. Has been arrested, charged, or convicted by a court, or has entered a plea of
15 nolo contendere to a crime in any jurisdiction that relates adversely to the
16 practice of nursing and the licensee or registrant has not demonstrated
17 sufficient rehabilitation under section 12.1-33-02.1;

18 ~~2.~~ b. Has been disciplined by a board of nursing in another jurisdiction, or has had
19 a license or registration to practice nursing or to assist in the practice of
20 nursing or to practice in another health care occupation or profession denied,
21 revoked, suspended, or otherwise sanctioned;

22 ~~3.~~ c. Has engaged in any practice inconsistent with the standards of nursing
23 practice;

- 1 ~~4.~~ d. Has obtained or attempted to obtain by fraud or deceit a license or registration
- 2 to practice nursing, or has submitted to the board any information that is
- 3 fraudulent, deceitful, or false;
- 4 ~~5.~~ e. Has engaged in a pattern of practice or other behavior that demonstrates
- 5 professional misconduct;
- 6 ~~6.~~ f. Has diverted or attempted to divert supplies, equipment, drugs, or controlled
- 7 substances for personal use or unauthorized use;
- 8 ~~7.~~ g. Has practiced nursing in this state without a current license or as otherwise
- 9 prohibited by this chapter;
- 10 ~~8.~~ h. Has failed to report any violation of this chapter or rules adopted under this
- 11 chapter; or
- 12 ~~9.~~ i. Has failed to observe and follow the duly adopted standards, policies,
- 13 directives, and orders of the board, or has violated any other provision of this
- 14 chapter.
- 15 2. If the board determines an unlicensed assistive person violated subdivision g of
- 16 subsection 1 by practicing without a current registration, the disciplinary action of
- 17 the board in the case of a first violation is limited to the issuance of a warning
- 18 unless the board establishes the violation was done knowingly or intentionally.