

Sixty-third  
Legislative Assembly  
of North Dakota

## ENGROSSED SENATE BILL NO. 2088

Introduced by

Human Services Committee

(At the request of the North Dakota Board of Athletic Trainers)

1 A BILL for an Act to amend and reenact sections 43-39-05 and 43-39-08, subsection 3 of  
2 section 43-39-09, subsection 2 of section 43-39-10, and section 43-39-11 of the North Dakota  
3 Century Code, relating to athletic trainers; to repeal section 43-39-07 of the North Dakota  
4 Century Code, relating to grandfathering initial licensees; and to provide a penalty.

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

6 **SECTION 1. AMENDMENT.** Section 43-39-05 of the North Dakota Century Code is  
7 amended and reenacted as follows:

8 **43-39-05. Qualifications.**

9 To be eligible for an athletic trainer license, an applicant must meet all the requirements of  
10 certification established by the ~~national athletic trainers association~~ board of certification,  
11 incorporated.

12 **SECTION 2. AMENDMENT.** Section 43-39-08 of the North Dakota Century Code is  
13 amended and reenacted as follows:

14 **43-39-08. Examination required.**

15 All license applicants must ~~pass and~~ have previously passed the board of certification,  
16 incorporated, examination prescribed by the board unless they show proof of passage of a  
17 board-approved equivalent examination. ~~The athletic trainer's examination must embrace such~~  
18 ~~criteria as may be determined by the board.~~

19 **SECTION 3. AMENDMENT.** Subsection 3 of section 43-39-09 of the North Dakota Century  
20 Code is amended and reenacted as follows:

21 3. A previously licensed person who ~~leaves the person's position of employment as an~~  
22 ~~athletic trainer for any reason for one year or more and has requested license renewal~~  
23 ~~must show continued education credits as established and approved by the~~  
24 ~~board~~ have active status from the board of certification, incorporated.

1       **SECTION 4. AMENDMENT.** Subsection 2 of section 43-39-10 of the North Dakota Century  
2 Code is amended and reenacted as follows:

3       2. Nothing in this chapter shall be construed to authorize the practice of medicine by any  
4 person. The provisions of this chapter do not apply to physicians licensed by the North  
5 Dakota state board of medical examiners; to dentists, duly qualified and registered  
6 under the laws of this state who confine their practice strictly to dentistry; to licensed  
7 optometrists who confine their practice strictly to optometry as defined by law; to  
8 licensed chiropractors who confine their practice strictly to chiropractic as defined by  
9 law; to occupational therapists who confine their practice to occupational therapy; to  
10 nurses who practice nursing only; to duly licensed chiropodists or podiatrists who  
11 confine their practice strictly to chiropody or podiatry as defined by law; to registered  
12 physical therapists; to ~~masseurs or masseuses~~massage therapists in their particular  
13 sphere of labor; nor to commissioned or contract physicians or physical therapists or  
14 physical therapists' assistants in the United States army, navy, air force, marine corps,  
15 and public health and marine health service.

16       **SECTION 5. AMENDMENT.** Section 43-39-11 of the North Dakota Century Code is  
17 amended and reenacted as follows:

18       **43-39-11. Penalty.**

19       Any person ~~violating any of the provisions of~~practicing as an athletic trainer without a  
20 license as required by this chapter is guilty of a class B misdemeanor.

21       **SECTION 6. REPEAL.** Section 43-39-07 of the North Dakota Century Code is repealed.