

Introduced by

Representatives Beadle, Buffalo

Senator J. Roers

1 | A BILL for an Act to amend and reenact ~~section~~sections 43-06-03 and 43-06-04 of the North  
2 | Dakota Century Code, relating to membership of the board of chiropractic examiners; and to  
3 | provide for application.

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

5 | **SECTION 1. AMENDMENT.** Section 43-06-03 of the North Dakota Century Code is  
6 | amended and reenacted as follows:

7 | **43-06-03. State board of chiropractic examiners - Members - Appointment -**  
8 | **Qualifications.**

9 | 1. The state board of chiropractic examiners ~~shall consist of five~~consists of seven  
10 | members appointed by the governor. The members are:

11 | a. Five doctors of chiropractic;

12 | b. One certified chiropractic clinical assistant; and

13 | c. One consumer member.

14 | 2. Each ~~person~~doctor of chiropractic appointed must:

15 | ~~1.~~ a. Have a license to practice chiropractic in North Dakota.

16 | ~~2.~~ b. Have been a resident of this state and have practiced chiropractic in this state for  
17 | at least five consecutive years immediately before appointment to the board.

18 | ~~3.~~ c. Remain a resident of this state and continue in active practice in this state during  
19 | the term of office.

20 | d. Be a licensee in good standing and must not be the subject of a pending  
21 | investigation by the board for violations under this chapter.

22 | 3. Each certified chiropractic clinical assistant appointed must:

23 | a. Be certified as a chiropractic clinical assistant and meet the requirements of  
24 | section 43-06-16.1.

1            b. Be actively engaged in the practice of a certified chiropractic clinical assistant in  
2            the state for at least five years immediately preceding appointment to the board.

3            4. Each consumer member appointed:

4            a. Must be a resident of the state for at least five years immediately preceding  
5            appointment to the board.

6            b. May not have personal or familial financial relationships to the chiropractic  
7            profession.

8            c. May not be, and may not be a spouse of, a doctor of chiropractic, certified  
9            chiropractic clinical assistant, or licensed health care professional.

10          5. An individual appointed to the board as a certified chiropractic clinical assistant may  
11          not participate in any activities related to the clinical examination of chiropractic  
12          licensure applicants.

13          6. An individual appointed to the board as a consumer may not participate in any  
14          activities related to the clinical examination of chiropractic or certified chiropractic  
15          clinical assistant licensure applicants.

16          **SECTION 2. AMENDMENT.** Section 43-06-04 of the North Dakota Century Code is  
17 amended and reenacted as follows:

18          **43-06-04. Board of chiropractic examiners - Members - Term of office.**

19          1. Each member of the board shall qualify by taking the oath of office required of civil  
20          officers and shall hold office for a term of five years and until the member's successor  
21          is appointed and qualified. The terms of office of the members of the board must be so  
22          arranged that ~~one term and~~ only one term expires on the thirty-first day of August of  
23          ~~each~~any year except:

24          a. Every fifth year, the governor shall appoint a doctor of chiropractic and a certified  
25          chiropractic clinical assistant to the board.

26          b. Two years after the appointments in subdivision a, the governor shall appoint a  
27          doctor of chiropractic and a consumer member to the board.

28          2. A member may not serve for more than two consecutive five-year terms.

29          3. If a member of the board is absent from two consecutive regular meetings, the board  
30          may declare a vacancy. Vacancies on the board must be filled by appointment by the  
31          governor. ~~When a vacancy occurs on the board by expiration of the term, death, or~~

1           ~~resignation of a member, or removal for other cause, the North Dakota chiropractic~~  
2           ~~association shall nominate, by procedure adopted in the bylaws of said association, to~~  
3           ~~the governor three qualified persons for each vacancy. The governor shall appoint a~~  
4           ~~member to fill the vacancy on the board from the three nominees.~~

5           **SECTION 3. APPLICATION.** This Act applies to appointments made to the board of  
6           chiropractic examiners after July 31, 2019.