



NORTH DAKOTA BOARD OF CHIROPRACTIC EXAMINERS

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SB 2060

House Industry, Business, and Labor Committee

March 8, 2021 9:00 AM

Chairman Lefor, members of the House Industry, Business, and Labor Committee, good morning, my name is Dion Ficek, and I am the President of the North Dakota Board of Chiropractic Examiners and am here presenting the Board testimony for Engrossed SB2060. Overall, this bill cleans up antiquated or incorrect language and removes outdated or discontinued practices. The board went through the statute with the intent of modernizing terms to reflect the intent of the statute appropriately. This bill has no fiscal impact.

Section 1. A definition for approved and accredited doctor of chiropractic programs is added. This language was included in the chapter in multiple locations. This relocation is made for clarity and also corrects the terminology from chiropractic college to doctor of chiropractic programs. Under 4(4), the terms treatments and interventions are added. These additions reflect a more current and modern definition of practices taught in the chiropractic education programs.

Last, the addition of the definition of Telehealth. The Board has mimicked the language used in the section of the Century Code for Physical Therapists for this addition. The current pandemic highlighted that there was not authorizing language regarding telehealth in the chiropractic code. This addition will allow licensed chiropractors to better assist their patients now and beyond the current pandemic.

Section 2. Subsections 2 and 3 required some updating and further definition as you will note in 3. These updates do not make changes to the current process, but rather adds the further definition required for the student and graduate interns. The last addition in this section is subsection 6 which permits chiropractors traveling with sports, cultural, or performing arts groups to treat their members while in North Dakota without holding a North Dakota license.

Section 3. This chapter was updated in the last legislative session. The appointments for the additional members were made. However, based upon the initial appointment dates and current expiration dates, a correction to subsection b. was required.

Section 4. The additions to this section are already included in the chapter. For clarity purposes, we are also including them in this section.

Section 5. Based upon the addition of 2 members to the Board completed last session, updates to the quorum were required.

Section 6. The updates in the section take the existing paragraph format and reorganize into numbered subsections for clarity purposes. There are no content changes, but some terminology updates.

Section 7. These updates remove the antiquated language and modernize the chapter.

Section 8. These changes update the section and include the equivalency clause that was inadvertently missed in this section when previous updates of the chapter occurred.

Section 9. Updates to the language regarding a quorum.

Section 10. These updates clean up language and remove redundancy between this chapter and the Administrative Code.

Section 11. Upon reviewing this chapter and the Administrative Code, the Board has the authority to deny a license, however, no grounds were included in the Century Code. The addition to this section adds the clarity needed for the Board and any potential applicant as to the grounds for the denial of a license. We are also updating the language from sworn to signed written. In 1(f) we are removing the antiquated term moral turpitude and replacing it with a clearer definition. In 1(k) we are updating the language to expand beyond suspension or revocations in other jurisdictions. In 8(f), we are adding further definition to the verbiage all costs.

Section 12. This chapter was added to the Century Code in the 2017 session. Now that it's been active for a few years, some updates or corrections were needed.

2(c): removes the grandfather clause that is no longer applicable

2(d): updates the language of good moral character

4: we are correcting the language regarding the scoring of the examination and the language of the examination and program utilized, also including an equivalency clause

5: simply updates for clarity

5(a): changes the continuing education requirement to an annual requirement from every 2-years. It also removes the naming of specific trade organizations and allows for the Board to approve other seminars

5(b): extends when first renewal is required based upon the initial certification date from 2 months to 3 months

7: N.D.C.C. 43-62 was updated and the exceptions no longer apply.

8(f): updates the term moral turpitude

8(l): updates legal language

8(l)(4): updates the term moral turpitude

8(l)(10): adds significant other

Section 13. This updates who assists the state's attorney's office in the enforcement of the chapter.

Section 14. 43-06-10 and 43-06-12 are antiquated sections. There was a time when each individual state, including this one, had the candidates sit for a state exam to obtain licensure. As this no longer is the practice, these sections no longer apply.

I would like to thank you for your time this morning. This concludes my testimony and I would stand for any questions.

If the committee members have any additional questions for the Board, please contact our Executive Director:

Lisa Blanchard, Executive Director

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