

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2303

2001 SENATE HUMAN SERVICES

SB 2303

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2303

Senate Human Services Committee

☐ Conference Committee

Hearing Date February 7, 2001

Tape Number	Side A	Side B	Meter #
1	X		53.2
1		X	3.3
Committee Clerk Signature <i>Carol Holmquist</i>			

Minutes:

The hearing was opened on SB 2303.

SENATOR ANDRIST, sponsor, introduced the bill, (Written testimony) SENATOR LEE: How do you define good moral character? SENATOR ANDRIST: Probably subject to discipline.

SENATOR MATHERN: Discussed paper licensure and liberties.

Opposition:

ROLF SLETTEN: State Brd of Med Examiners, opposes bill to the extent that it includes us.

We should not be included (Written testimony)

HOWARD ANDERSON, Brd of Pharmacy, opposes bill. (Written testimony)

CLIFFORD KELLER, ND Brd of Professional Engineers, opposes bill. (Written testimony)

DON OFFERDAHL, ND Electrical Brd, opposes bill.

ROBERT LEINGANG, ND Plumbing Brd, opposes bill.

BONNIE LARSON STAIGER, ND Psych Assoc, opposes bill. Prefer 2115.

Page 2

Senate Human Services Committee

Bill/Resolution Number SB 2303

Hearing Date February 7, 2001

The hearing was closed on SB 2303.

Discussion was held. SENATOR FISCHER moved a DO NOT PASS. SENATOR MATHERN

seconded the motion. Roll call vote carried 6-0. SENATOR KILZER will carry the bill.

Date: 2/7/01

2 3 03

Committee

or

[illegible]

Do Not Pass

Der Fische

By

Jan Mathews

[illegible]

Total (Yes) 6 No 0

Absent 0

Den Kelzen

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
February 7, 2001 1:31 p.m.

Module No: SR-22-2614
Carrier: Kilzer
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2303: Human Services Committee (Sen. Lee, Chairman) recommends DO NOT PASS
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2303 was placed on the
Eleventh order on the calendar.

2001 TESTIMONY

SB 2303

ND Legislative Assembly

John M. Andrist
State Senator - District 2
Post Office Box 18
Crookston, ND 58700

Phone: 701/965-6796
FAX: 701/965-6080
email: jandrist@state.nd.us

Testimony on SB 2303

Submitted by Sen. John M. Andrist

The purpose of 2303 is to fast track the licensure of skilled craftsmen and professionals who want to live and work in North Dakota.

Let me say at the outset that many of our professional licensure boards have a commitment to attracting professionals from out-of-state, and some have adopted national standards that enhance nationwide portability of their craft.

Others tend to forget that their mandate is to people, rather than to protecting the market place of their fellow craftsmen and colleagues. Some of them require apprenticeships for people with years of experience. The cosmetologists, for instance, will not permit a hair dresser to open a business without one-year of full time employment in North Dakota -- even if that person had many years of experience in another jurisdiction.

This bill simply says if the applicant has had licensure and training roughly equivalent to that required in North Dakota, and if there are no moral character blemishes, they are welcome to practice in North Dakota.

I've never understood why we spend \$20 million to attract business and industry to North Dakota, and then permit some of our licensing boards to exclude people who want to come here.

In my years of struggle in a small community we have had to fight the system to bring in physicians, optometrists, and teachers. A colleague tells me of his exasperation that the state nursing board can not or will not credential a Montana nurse who has years of experience as a surgical and general hospital nurse.

As we move to free markets for goods we need also to be proactive in opening markets for services. My vision is that every American ought to be able to move from state to state, without being subjected to a new examination every time he or she wants to make a move across the border of another state.

This bill really takes no authority away from licensing boards, if they have sufficient evidence to deny licensure. We welcome refugees to North Dakota. We should be just as enthusiastic to welcome electricians, plumbers, podiatrists, or any other practitioner who has demonstrated skills and moral character in another state or Canada.

This is an economic development bill. It's also a particularly good bill for our rural communities struggling against the forces of economic decline, and trying hard to improve services in their market area. Your support will be greatly appreciated.

**Testimony of Clifford E. Keller
(Executive Secretary of the ND State Board of Registration for PE/LS)
Given to the Senate Human Services Committee
February 7, 2001**

Senator Lee and members of the Senate Human Services Committee, Good morning, my name is Clifford Keller and I serve as the Executive Secretary of the ND State Board of Registration for Professional Engineers and Land Surveyors. After deciding to offer testimony on this bill, the next decision was whether to appear in support of the bill or appear in opposition of the bill. The State Board of Registration believes wholeheartedly in the concept of mobility for professional engineers and land surveyors and does not support the theory of "fence building" as it applies to cross border professional practice. As such, the State Board of Registration believes very strongly in what this bill purports to accomplish. There is one part of the bill that raises some concern for the State Board. It is the interpretation of the words "substantially equivalent". The question the State Board has is "who would be the judge of what is substantially equivalent" in terms of certification requirements?

The State Board of Registration is charged with the protection of the health, safety and welfare of the public and does so through the regulation of the professional practices of engineering and land surveying. It is only through the adoption of standards that the health, safety and welfare of the public can be protected from unqualified professionals who offer a sub-standard service. During the entire year of 1998, the State Board of Registration undertook a thorough and comprehensive review of Title 28 of the Administrative Code as it relates to the registration, examinations and regulation of professional engineers and land surveyors. The review resulted in the State Board removing barriers to practice by foreign professionals. For the purposes of this discussion, foreign professionals refer to any professional engineer or land surveyor who resides outside of North Dakota. Engineers and land surveyors are registered in North Dakota by one of two methods; by examination or by endorsement. Examination refers to those individuals who apply to be approved to take the Principles of Engineering or Land Surveying examination as the case may be. Both of these examinations are prepared by the National Council of Examiners for Engineers and Land Surveyors and are accepted throughout the nation and many countries as the national standardized examination for the particular practice. As such they are accepted nationwide as a tool of measuring professional competency at a given level. Nearly 100% of the individuals taking the principles examinations are residents of North Dakota. If a non-resident applied to be approved to take the same examination, he or she would be held to the exact same education and experience requirements. The other method of professional registration in North Dakota is through endorsement. That is to say, an engineer or land surveyor from South Dakota may apply to the State Board of Registration to be registered in North Dakota based upon his or her registration in South Dakota. Since South Dakota and the other 49 states have essentially the same requirements when it comes to education, experience and examinations, the South Dakota engineer or land surveyor very rarely has any problems becoming registered in North

Dakota. Prior to the time the State Board of Registration amended Title 28 of the Administrative Code, many engineers or land surveyors who took the various fundamentals and principles examinations earlier than would have been allowed by North Dakota regulations were left with the result that they could not and usually were not registered in North Dakota. With the new Title 28 registration regulations, the taking of an examination early is very rarely a problem at all because the State Board now considers an applicant's total experience not just that experience that may have occurred between certain definable benchmarks. This liberalized interpretation has resulted in nearly all out of state professionals being able to be registered in North Dakota and it was accomplished without a lowering of standards. This new interpretation allows the State Board to examine an applicant's complete professional career and to exercise the judgment that led the Governor to appoint them to the State Board. We are very proud of our State Board. Three of the four engineers who sit on the State Board possess bachelors as well as masters and Phd degrees in engineering. The fifth member of the State Board is a registered land surveyor.

The concern for what "substantially equivalent" means has special significance when it comes to registering engineers and land surveyors in North Dakota who are from Canada. Canadian universities and colleges offer engineering and land surveying programs which are the equal of any similar program in the United States. In the United States, if engineering programs attain a high degree of excellence, they are deemed to be ABET accredited. The engineering programs at UND and NDSU are ABET accredited. In Canada, engineering and land surveying programs which are deemed to have reached the same degree of excellence are listed as ABET-equivalent. Only US engineering and land surveying programs may be labeled ABET-accredited. Degrees from foreign countries who reach the same level are labeled ABET equivalent. In terms of the "three E's" of registration, which are education, experience and examination, A Canadian professional would probably possess equivalent education standards, Canadian professional engineers and land surveyors also have essentially the same professional experience requirements. Withstanding any knowledge to the contrary, professional experience gained in Canada would be deemed equal to professional experience gained in any of the United States. It is when we go to examinations that a reasonably wide difference occurs. In the United States, the engineer or land surveyor, at difference times in their professional careers, take two national standardized examinations. The Fundamentals of Engineering or Land Surveying examinations are taken early in the individual's professional career and test their knowledge of basic engineering or land surveying knowledge as the case may be. It is a measure of their grasp of what is considered to be adequate professional knowledge to enter into their selected profession. These fundamentals examinations, which are eight hours in length, are taken in addition to any examinations the individual must pass to receive their college degree. In Canada, the young engineer or land surveyor does not take an examination which measures their basic understanding of their chosen field, the first examination Canadians take is a three hour examination on the laws and regulations of the appropriate professional practice fields and the province in which they reside. In both the United States

and in Canada, the individuals must pass a second examination, after obtaining the required amount of professional experience in order to become registered or certified. In the United States, that second examination is also an eight hour standardized national examination which measures the individual's professional knowledge and competency. The engineers have an examination on engineering problems and the land surveyors take an examination on land surveying problems. The problems are of a difficulty and nature that one could expect they could solve after having four or more years of professional experience. The Canadian engineers and land surveyors, on the other hand, also take a second examination after obtaining differing amounts of professional experience. Their second examination is directed towards their understanding of professional ethics and law and is not based in solving problems associated with their profession. Given the wide disparity in content of the US and Canadian examinations, the State Board is concerned with the interpretation of substantial equivalency. Both the US and Canadian professionals take two separate examinations - but are they substantially equivalent? One would acknowledge that the two examinations appear to measure different things. A Canadian engineer or land surveyor wishing to become registered in North Dakota is required to take the respective fundamentals and principles examinations just as any North Dakota resident or other US resident would be required to do so. The State Board does not view this as prohibiting cross border practice but rather as a means to insuring a standard of practice and competency which will insure protection of the health, safety and welfare of the public. Testing may not be the optimal means of measuring competency but then what else might be a better measure? At the present time, temporary practice in engineering or land surveying is the only passport that American professionals can avail themselves of when applying to Canada for professional certification because in Canada, at the present time, discussions are on-going as to what is a qualified foreign professional and what is he or she qualified to do. In North Dakota, a Canadian engineer may gain temporary registration on a one-time, one project basis without meeting the examination requirements. To gain full registration, the Canadian engineer must take and pass the two national examinations and we have had a number of individuals from Canada who have become registered in this manner in the same way a North Dakota resident would become registered.

In conclusion, the State Board of Registration agrees with the spirit of Senate Bill 2303 and has done a great deal to accomplish what this bill intends to do. The State Board believes in the validity of testing as the best measure of competency and feels it is necessary to retain this measuring tool when judging whether a professional engineer or land surveyor is qualified to practice in North Dakota. If the term "substantially equivalent" would be removed from the language of the bill or if the term would be explained in greater detail, the State Board might easily find itself in support of the bill as it supports cross border practice and mobility of professionals and feels that its previous actions demonstrate this support.

North Dakota State Board of Medical Examiners

ROLF P. SLETTEN
Executive Secretary and Treasurer

LYNETTE LEWIS
Administrative Assistant

TO: SENATE HUMAN SERVICES COMMITTEE
FROM: ROLF P. SLETTEN, EXECUTIVE SECRETARY AND TREASURER
RE: SENATE BILL 2303
DATE: FEBRUARY 7, 2001

The North Dakota State Board of Medical Examiners opposes this bill, at least to the extent that it embraces this particular board. We feel very strongly that the idea that lumping all the boards together in these universal bills is exceedingly problematic. Simply put, it is our belief that one size does not fit all. Licensing the people who are expected to lift the top of your skull off so that they can remove tumors deep in the brain is not the same thing as licensing the people who drill water wells or clip toenails. Those are honorable professions too, but the licensing considerations cannot be the same.

This bill would essentially provide that a state board that issues a license to practice a profession, must adopt rules providing for the licensure of applicants who are:

1. Licensed in another jurisdiction.
2. In good standing in the other jurisdiction.

If

1. The other jurisdiction's licensure requirements are "substantially equivalent" to ours.
2. The applicant is of good moral character.

What this really says is that we would be in the business of allowing people to practice medicine in our state if they once met "substantially" equivalent standards somewhere else. In other words, they could be licensed to practice medicine if they almost meet the licensure requirements in this state. In our opinion, that is a very dangerous idea.

No state licenses doctors who don't meet their licensure requirements. That's the whole point in having licensure standards.

We are often asked if we have reciprocity with (some other state). We do but in the medical licensure community "reciprocity" means that we recognize each other's licensing exams. This all harkens back to the time, years and years ago, when each state had its own state constructed medical licensure examination. At that time, there was a North Dakota medical exam, an Alabama medical exam, a Texas medical exam, etc. The states almost always recognized each others' exams (although the Florida's exam was apparently not always held in very high regard) and so in that sense we have reciprocity but no state will give someone a medical license just because they have a license in another state.

But this is much more complicated than that. This bill calls for administrative rules to provide for the licensure of individuals who have a license in another jurisdiction. Iraq is a jurisdiction. Iran is a jurisdiction. So is Vietnam. So is Russia. Egypt is a jurisdiction.

It is not unusual for us to get applications from people who attended medical school in each of those countries. We constantly get applications or inquiries from people who attended medical schools located all over the world. When I was preparing this testimony last Monday, the mail was delivered to our office. The two letters that happened to be on the top of that particular stack of mail are attached here as Exhibit A. They are from Myanmar and the Philippines. There was

another one from India that same day. All of them contained forms from medical schools in those countries. The point here is that the scope of medical licensure is very international.

Someone could logically point out that this bill only applies if the other jurisdiction has licensing requirements which are substantially equivalent to ours. That raises the question - how much time and money should North Dakota spend trying to assess that equation?

The easy answer is that 1) no foreign country except Canada, requires their applicants to pass the United States Medical Licensing Exam or the Canadian Exam, 2) they obviously don't offer US or Canadian postgraduate training, and 3) they don't require the test called the ECFMG, (the Educational Council for Foreign Medical Graduates) which is required by all of the American states and so, except for graduates of Canadian schools, they don't qualify under this bill (of course, that doesn't mean they can't become qualified for a North Dakota license).

Or does the bill mean:

1. We are supposed to figure out what the licensing agency is in some particular corner of Iraq.
2. Then write to that agency and ask for their licensing requirements.
3. Then wait to see if they answer (they won't). So that being case, let's say we are talking about someone who went to school in Iran. We would expect to get a response from Iran. So we would wait and presumably we would eventually get an answer from some licensing jurisdiction in Iran.
4. Let's assume they actually send what we ask for and it really is a set of the Iranian medical licensure requirements from the year the applicant received a license in that country.

5. Now we need to find a translator so we can read whatever it is that we have received.
6. Then we need to evaluate their requirements to see if they are "substantially equivalent" to ours. (They aren't) but we will have made a good faith effort to check.

I think it is important to note that the Board of Medical Examiners makes absolutely no distinction between applicants on the basis of their country of origin or their citizenship. The only distinguishing factor is where they went to medical school. Please note too, that we treat doctors who have graduated from medical schools in Canada exactly the same as we treat American graduates. We accept the Canadian licensure exams (even though they don't accept ours) and we accept Canadian postgraduate training as being equivalent to US training.

The real point here is that we are constantly licensing doctors who graduated from international schools. No one can say that we are keeping them out under the current requirements. A very significant portion of all the doctors licensed in this state are graduates of international medical schools.

Someone might suggest (and I don't know that this is true) that this bill is really focused on people who have been licensed in another American state.

No state "rubber stamps" the other states' licensees. That would effectively make their standards equal to the lowest standards in the country.

It makes no sense to license people who almost meet the requirements. The whole point in having standards is to clearly establish where the line is drawn in the sand. If there is a problem with our licensing standards (whether they are perceived to be too tough or too lenient) then we

should change them. But please, let's not say we are going to accept "substantial" compliance with our requirements. What on earth does that mean?

What about all of those people who failed the driver's license exam by one or two questions. They are legion. Would anyone say "That's OK son, you almost passed, so that will be close enough... you've substantially complied with our requirements".

Please take a look at Exhibit B. This is an example of the other reason we don't rubber stamp applications from doctors who happen to be licensed in other states.

I have redacted the applicant's name because this application is still pending and it is still possible that there is a reasonable explanation for all of this. In either event, it illustrates the point that applications for a medical license must be scrutinized very, very carefully.

This doctor has a license in Washington State and a license in Minnesota, so if those states have substantially the same licensure requirements as North Dakota, then under this bill, this applicant should get a North Dakota license almost automatically. Please look at Exhibit B1. This is the diploma he sent to us at the end of January. It declares that he graduated from the University of Minnesota Medical School.

Now please look at Exhibit B2. This is the certificate of Medical Education form that we require from the applicant's medical school. It is sent directly from the school to our office.

One of our licensing people noticed that the date of graduation noted on the diploma (February 11, 1988) is not the same as the date on the Certificate of Medical Education form (June 16, 1988), so she wrote to the U of M Med School. At Exhibit B3, you will find the correspondence which was exchanged between Lynn and the U of M. Please look at what the folks at the University of Minnesota Med School had to say.

A couple of days later they provided much more detail. (Exhibit B4).

When I called this doctor he said, "Whoa, you guys must do a much better job of checking these things out than the other places I've applied". That's probably not true. I think all of the medical boards try to do a very careful job but clearly, the odds of slipping something past one Board are better than the chances of slipping something past two or three. When I called the Washington Board, they said they don't look at diplomas, they only look at transcripts. When I called the Minnesota Board, they said all of their old records are on microfiche and they don't microfiche the diplomas.

A few people might say we don't have enough doctors in North Dakota, so we should have low licensing standards and that way we can attract more doctors. Indeed we could but the truth is that the number of physicians licensed by this Board has increased from 2001 in August of 1988 to 2529 today, an increase of 528 doctors in the last 12½ years.

I think the argument that we don't have enough doctors in North Dakota is very tough to support but it probably is true that there is a distribution problem. One third of all of the doctors in North Dakota live in Fargo. One half of all of the doctors in North Dakota live in Fargo or Bismarck and three-fourths live in Fargo, Bismarck, Grand Forks, or Minot. There may very well be a distribution problem but that problem will not be solved by lowering licensing standards.

SUMMARY

1. The licensure of physicians has a huge and complex international dimension which does not play a role in the licensure of the people who practice most other professions or occupations.
2. Under the current licensure requirements, the number of physicians licensed to

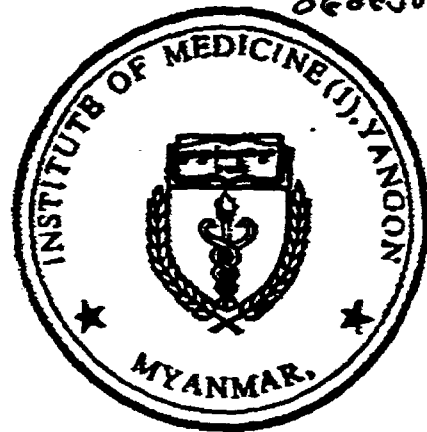
practice medicine in North Dakota has increased by 528 since 1988, a 29% increase.

3. Because of the nature of their work, the licensure of physicians must be done very meticulously. No doctor would expect anything less.
4. The licensure standards should never be reduced to "substantial" compliance. If that occurs, then the "requirements" are no longer requirements at all - just nebulous guidelines. Imagine how many appeals would be filed by lawyers representing applicants who feel they almost met the licensure standards, if this bill passes.
5. The requirements for a medical license are mostly fixed in statute. How is it possible to circumvent those standards by promulgating an administrative rule? Is this bill intended to supercede the current licensing requirements?
6. Graduates of Canadian medical schools are treated just the same as graduates of American schools.

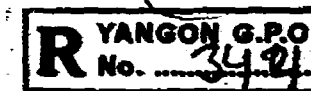
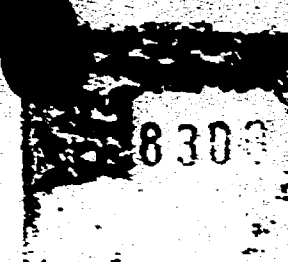
Please defeat this bill or at least exempt the Board of Medical Examiners from its embrace.

INSTITUTE OF MEDICINE
NO. 245, MYO-MA-KYAUNG ROAD
LANMADAW TOWNSHIP
YANGON
MYANMAR

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NORTH DAKOTA STATE BOARD OF MEDICAL EXAMINERS
CITY CENTER PLAZA, SUITE 12
418 EAST BROADWAY AVENUE
BISMARCK, ND 58501
U.S.A.

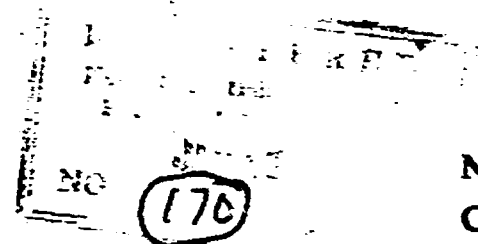
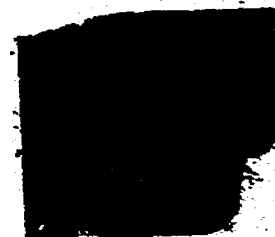


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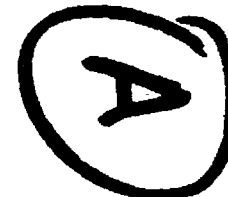
FEB-Dr. Nicanor Reyes Medical Foundation
Regalado Ave. West Fairview Quezon City
Philippines 1118



17/

NORTH DAKOTA STATE BOARD OF MEDICAL EXAMINERS
CITY CENTER PLAZA, SUITE 12
418 EAST BROADWAY AVENUE
BISMARCK, ND 58501

VIA AIR MAIL



THE REGENTS OF
THE UNIVERSITY OF MINNESOTA
ON RECOMMENDATION OF THE FACULTY
HAVE CONFERRED UPON

THE DEGREE OF
Doctor of Medicine
WITH ALL ITS PRIVILEGES AND OBLIGATIONS

GIVEN IN MINNEAPOLIS IN THE STATE OF MINNESOTA
THE SIXTEENTH DAY OF FEBRUARY NINETEEN HUNDRED EIGHTY EIGHT



Richard J. Laver
PRESIDENT

Wm. A. Nelson
SECRETARY

(B1)

JAN 16 2001

CERTIFICATE OF MEDICAL EDUCATION

REC'D JAN 16 2001

(Applicant must forward this application form to medical school granting degree for certification of his medical education)

It is hereby certified that

of 2260 Princeton Ave, St Paul, MN (1) received a MD (2) diploma from University of Minnesota (3) 420 Delaware St SE, Minneapolis MN (4) (5) Location 55455
on June 1st 1988 (6) Date and to the best of our knowledge is of good moral character.

(SEAL
OF
COLLEGE)

Signed Helene M. Horwitz
Helene M. Horwitz, Ph.D.
Associate Dean-Student Affairs
(mhb)

Date this Certificate January 16, 2001

INSTRUCTIONS TO MEDICAL SCHOOL

The person whose name appears on this certificate has applied for a license to practice medicine in the State of North Dakota.

Please review this certificate to determine if the statement is correct.

If you find that it is entirely correct, please:

- Complete the portion of the form calling for your name, your title, and the date.
- Affix the official seal of your institution.
- Return this certificate to the North Dakota State Board of Medical Examiners, 418 E. Broadway Ave., Suite 12; Bismarck, ND U.S.A. 58501 (return envelope attached) or FAX to 701/328-6505.

— Thank you —

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B3

Lynn

From: "Helene Horwitz"
To: "Lynn" <lmcdonald@tic.bisman.com>
Cc: <lundq013@umn.edu>
Sent: Thursday, February 01, 2001 10:30 AM
Subject: Re: , MD
At 03:36 PM 1/29/01 -0600, you wrote:

Can you advise me as to why Dr. , MD (DOB is 11-12-60) would have a graduation date of 2-16-88 printed on the copy of his medical school diploma but the verification from the U of MN lists his graduation date as 6-11-88? also included a copy of a letter dated 1-19-86 signed by you that gives the date of 6-11-88.

If necessary, you can email me your fax and I'll fax copies of what I have. Thank you.

Lynn McDonald
Credentialing
ND Board of Medical Examiners
Ph 701-328-6500
Fax 701-328-6505

According to the Office of the Registrar, the diploma that you sent to us is not a true copy of what was issued by the University of Minnesota in 1988. In addition to several discrepancies regarding the text and format on the diploma, the signatures appear to be forged and the commencement date on the diploma is not valid.

If you wish, we can fax you copies of the materials and the letter from the Office of the Registrar.

Helene M. Horwitz, Ph.D.
Associate Dean
University of Minnesota
Medical School

UNIVERSITY OF MINNESOTA

B21

Two Cities Campus

Office of the Registrar

Office of the Executive Vice President and Provost

150 WILKINSON TOWER
251 PULASKY DRIVE S.E.
MINNEAPOLIS, MN 55455-0213
http://www.umn.edu/registrar

January 30, 2001

Nancy Lundquist
Medical School Education
420 Delaware St SE
Minneapolis, Minnesota 55455

Dear Nancy,

We have looked over your faxed copy of the Doctor of Medicine diploma for . This diploma is not a true copy of what was issued by the University of Minnesota during that time period. The following areas of design, text, and format indicate that this diploma is a fraud:

- The wordmark across the top of the diploma was not in use in 1988; at the time, the words *The University of Minnesota* were curved and they were printed in Old English. Nor is this a replacement diploma printed after we changed to wordmark, other aspects of the diploma changed at that time also.
- The font and text size differ from a 1988 diploma and the size of the body text is too large. For example, the text *the degree of and with all its privileges and obligations* did not appear in caps in 1988.
- February 16, 1988 is not a valid commencement date; Duluth and Crookston had commencement dates of February 26, 1988, the Twin Cities commencement date was March 19, 1988.
- The placement of the signatures is opposite of what was used in 1988; Duane A. Wilson should appear on the left and Richard J. Sauer should appear on the right.
- Richard Sauer should read as interim president, not president.
- The signatures appear to be forged. For example, the r at the end of Sauer's signature does not turn up at the end as it should -- only one copy of the signature is used throughout a president's term of use.
- In 1988, signatures appeared centered with the seal, not lined up with the bottom of the seal

It appears that the diploma was created from a format in use prior to 1980. I have included a copy of the pre-1980 diploma and a copy of the diploma format used in 1988.

If you have further questions regarding this diploma, please call me at 625-4035. (612)

For the Office of the Registrar,

John J. Sauer
Jackie Wernersbach
Senior Supervisor

ARTICLE 61-03 PHARMACISTS

CHAPTER

61-03-01 LICENSURE OF PHARMACISTS

61-03-02 CONSULTING PHARMACIST REGULATIONS FOR LONG TERM CARE FACILITIES
(SKILLED AND BASIC CARE)

61-03-03 PRECEPTOR/ INTERN - INTERNSHIP/ EXTERNSHIP/ CLERKSHIP

61-03-04 CONTINUING PHARMACEUTICAL EDUCATION

CHAPTER 61-03-01 LICENSURE OF PHARMACISTS

Section

61-03-01-01	Applications
61-03-01-02	Approved Schools
61-03-01-03	Ratings Required
61-03-01-04	Licensure Without examination
61-03-01-05	Cancellation of certificates
61-03-01-06	Duplicate certificate
61-03-01-07	Posting of Certificate
61-03-01-08	Foreign Graduates
61-03-01-09	Inactive Status

61-03-01-01. Applications. All applicants for licensure as pharmacists must appear in person before the board of pharmacy at a meeting scheduled for examination of applicants for licensure. Applications must be in the hands of the director of the board three days before the examination. All applications must be accompanied by affidavits from former employers, showing that the applicant has had the experience required under a licensed pharmacist, as required by North Dakota Century Code section 43-15-15.

General Authority: NDCC 43-15-19

Law Implemented: NDCC 43-15-19

61-03-01-02. Approved Schools. The board of pharmacy designates as approved schools all Colleges of Pharmacy which are members of the American Association of Colleges of Pharmacy or maintain standards equivalent to those required for membership in that association, and have been accredited by the American Council on Pharmaceutical Education.

General Authority: NDCC 43-15-15

Law Implemented: NDCC 43-15-15

61-03-01-03. Score Required. An applicant for licensure as a pharmacist in North Dakota by examination or reciprocity must obtain a score of seventy-five in any written, oral, or practical laboratory examination required by the board.

History: Amended effective August 1, 1983; June 1, 1988.

General Authority: NDCC 28-32-02, 43-15-10 (3), (12), (14), 43-15-19

Law Implemented: NDCC 28-32-03, 43-15-10 (3), (12), (14), 43-15-19

61-03-01-04. Licensure without examination. An Applicant seeking licensure by reciprocity must secure and file an application form from the National Association of Boards of Pharmacy. This board will license applicants by reciprocity if they possess the requirements in effect in North Dakota at the time the candidates were licensed by examination in other states. A statement from the director under seal of the board of pharmacy from which the applicant is a licensee, showing date of examination, qualification, detailed ratings, and general average, must be submitted.

General Authority: NDCC 43-15-22

Law Implemented: NDCC 43-15-22

61-03-01-05. Cancellation of Certificates. Complaints for revocation of certificates of any pharmacist or assistant pharmacist shall be in writing, stating concisely the facts constituting the grounds of complaint. Such complaint shall be filed with the executive director.

No complaint shall be acted upon unless accompanied by one or more affidavits. The board will not grant a hearing unless it is satisfied that the complaint is meritorious and made in good faith.

Upon receipt of the complaint, the director shall forthwith forward copies of the complaint to each member of the board.

If a majority of members of the board notify the director that they desire a hearing on the complaint, the director shall fix a time and place of hearing and notify the accused of hearing, and annex to the notice a copy of the complaint.

If any regular or special meetings of the board is to be held within thirty days, the hearing shall be held at such meeting. If no regular or special meeting is to be held within thirty days, then the director, unless the board otherwise ordered, shall fix the time and place so as to afford the accused at least fifteen days notice of the hearing.

The notice may be served by registered mail or personally. In case of service by registered mail, notice must be mailed at least twenty days before the day of hearing.

General Authority: NDCC 43-15-10 (2)

Law Implemented: NDCC 43-15-21

61-03-01-06. Duplicate certificate. In case of a loss or destruction of a certificate, a duplicate can be obtained by forwarding to the executive director an affidavit setting forth the facts in the case. The fee for a duplicate certificate is twenty-five dollars.

General Authority: NDCC 43-15-10

Law Implemented: NDCC 43-15-21

61-03-01-07. Posting of Certificate. Each pharmacist shall post the pharmacist's certificate or renewal thereof in a conspicuous place in the pharmacy in which the pharmacist is practicing the pharmacist's profession.

General Authority: NDCC 43-15-10(9)

Law Implemented: NDCC 43-15-10(9), 43-15-25

61-03-01-08. Foreign Graduates. Any applicant who is a graduate of a school or college of pharmacy located outside the United States, which has not been recognized and approved by the board, but who is otherwise qualified to apply for a license to practice pharmacy in this state, shall be deemed to have satisfied the requirements of subsection 3 of North Dakota Century Code section 43-15-15 by verification to the board of the applicant's academic record and the applicant's graduation and by meeting such other requirements as this board may establish from time to time. Each such applicant shall have successfully passed the Foreign Pharmacy Equivalency Examination (which examination is hereby recognized and approved by the board) given by the Foreign Pharmacy Graduate Examination Commission and demonstrated proficiency in English by passing the test of English as a foreign language (which examination is hereby recognized and approved by the board) given by the Educational Testing Service as a prerequisite to taking the licensure examination provided for in the North Dakota Century Code section 43-15-19.

History: Effective August 1, 1983.

General Authority: NDCC 28-32-02, 43-15-10(2), 43-15-10(3), (12), (14), 43-15-15(4)

Law Implemented: NDCC 28-32-03, 43-15-10(2), 43-15-10(3), (12), (14), 43-15-15(4)