ARTICLE 17-02
CHIROPRACTIC LICENSURE

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CHAPTER 17-02-01
ADMISSION TO PRACTICE CHIROPRACTIC

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17-02-01-01. Educational requirements.

Repealed effective February 1, 1990.

17-02-01-01.1. Approved schools.

Repealed effective February 1, 1990.

17-02-01-01.2. Definitions.

1. Unless specifically stated otherwise, all definitions found in North Dakota Century Code section 43-06-01 are applicable to this title.

2. "Actual consultation" as used in North Dakota Century Code section 43-06-02 means seeking or giving professional advice, opinions, or assistance in conjunction with a licensed chiropractor in this state with regard to a specific patient for the purpose of providing chiropractic treatment to the patient.

3. In this title, unless the context or subject matter otherwise requires:

a. "Direct supervision" means a licensed chiropractor must be on the same premises as the intern when the intern is performing any patient care procedure and be readily available to the intern and patient.

b. "Ethics and boundaries examination" or "E&B" means the ethics and boundaries examination offered by the Ethics and Boundaries Assessment Services, LLC (EBAS).

c. "Graduate intern" means an unlicensed graduate of a chiropractic college qualified to participate in the graduate intern program and approved by a college of chiropractic and the board. A graduate intern has the abilities to observe a sponsoring licensed chiropractor caring for patients; have supervised participation in patient care, such as adjusting patients, performing examinations, and taking x-rays; participate in and performance of patient education and health care classes; and participate in administrative responsibilities.

d. "Intern" means an unlicensed chiropractic student qualified to participate in the preceptorship program and approved by a college of chiropractic and the board. An intern has the abilities to observe a sponsoring licensed chiropractor caring for patients; have supervised participation in patient care, such as adjusting patients, performing examinations, and taking x-rays; participate in and performance of patient education and health care classes; and participate in administrative responsibilities, such as office procedures, filing, recordkeeping, billing, and staff meetings.

e. "National board" means the national board of chiropractic examiners or its successor or equivalent as determined by the board.

f. "Preceptorship" means a short-term structured clinical education experience in an off-campus clinic under the direct supervision of a sponsoring licensed doctor of chiropractic for qualified chiropractic students.

g. "Special purposes examination for chiropractic" or "SPEC" means the special purposes examination for chiropractic offered by the national board.

History: Effective May 1, 1993; amended effective April 1, 2001; July 1, 2008; January 1, 2016; January 1, 2017; January 1, 2021.
General Authority: NDCC 28-32-02, 43-06-04.1
Law Implemented: NDCC 43-06-02, 43-06-10, 43-06-10.1

17-02-01-02. Application for licensure.

Application shall be made on the official form issued by the board. The forms may be secured from the board's office or the board's website.

History: Amended effective February 1, 1990; April 1, 2001; January 1, 2017; January 1, 2021.
General Authority: NDCC 28-32-02, 43-06-04.1, 43-06-05
Law Implemented: NDCC 43-06-08

17-02-01-02.1. Reciprocity or endorsement.

An applicant for reciprocal licensure will be considered by the board if the following conditions are met:

1. The applicant has a license and is in good standing to practice chiropractic in another state or jurisdiction;

2. The applicant has been licensed to practice chiropractic for at least the preceding two years in the other state or jurisdiction;

3. The applicant has successfully passed the national board on an earlier occasion;

4. The applicant successfully passes the special purposes examination for chiropractic or part IV of the national board examination, unless waived by the board for good cause;

5. The applicant successfully passes the jurisprudence examination and provides an affidavit acknowledging that the applicant has read and understands North Dakota statutes and administrative rules governing the practice of chiropractic;

6. The applicant successfully has completed the criminal history record information background check as required by North Dakota Century Code section 43-06-11.1; and

7. The applicant applies for a temporary license under North Dakota Century Code chapter 43-51.

History: Effective May 1, 1993; amended effective April 1, 2001; July 1, 2008; January 1, 2016; January 1, 2021.
General Authority: NDCC 28-32-02, 43-06-04.1, 43-06-10.1
Law Implemented: NDCC 43-06-10, 43-06-10.1

17-02-01-03. Fee for examination.

Repealed effective February 1, 1990.

17-02-01-04. Photograph.

A photograph must be provided on the application before filing with the board. The photograph must have been taken within six months of the date of application.

History: Amended effective January 1, 2021.
General Authority: NDCC 28-32-02, 43-06-04.1, 43-06-05
Law Implemented: NDCC 43-06-08

17-02-01-05. Examination number.

Repealed effective April 1, 2001.

17-02-01-06. Examination requirements.

Repealed effective April 1, 2001.

17-02-01-07. Conduct of examination.

Repealed effective April 1, 2001.

17-02-01-08. Examination subjects and requirements.

Examinations will be provided by the national board, or its successor, except for jurisprudence, which will be administered by the board. An applicant must satisfy the following criteria:

1. The applicant must hold a diploma from a chiropractic college fully accredited by the council on chiropractic education or its successor or equivalent as determined by the board.

2. If the applicant graduated before 1966, the applicant must have been in active practice and have passed five examinations (x-ray, orthopedics, jurisprudence, nutrition, and neurology)

and also five practicals (x-ray, spinal biomechanics, extremity adjusting, first aid, and case management).

3. If the applicant graduated between 1966 and 1988, the applicant must have passed parts I and II of the national board examination.

4. If the applicant graduated between July 1988 and January 1997, the applicant must have passed parts I, II, and III of the national board examination.

5. If the applicant graduated after January 1997, the applicant must have passed parts I, II, III, and IV of the national board examination.

6. Passing grades for part IV of the national board examination are effective for seven years after which time the applicant may be required to take and pass the SPEC.

7. Graduates after January 1, 2001, must reflect a passing score on the national board's physiotherapy examination.

8. All applicants shall have passed the jurisprudence examination and provide an affidavit acknowledging the applicant has read and understands North Dakota statutes and administrative rules governing the practice of chiropractic.

History: Amended effective February 1, 1990; April 1, 2001; July 1, 2008; January 1, 2016; January 1, 2017; January 1, 2021.
General Authority: NDCC 28-32-02, 43-06-04.1, 43-06-05
Law Implemented: NDCC 43-06-10, 43-06-10.1

17-02-01-09. Declaration.

Repealed effective April 1, 2001.

17-02-01-10. License issued.

When it shall have been determined by the board that any candidate has successfully passed the examination and made satisfactory demonstration of the clinical art, and has no other barriers to licensure under North Dakota Century Code section 43-06-15 or chapter 17-03, there shall be issued to such candidate a license to practice chiropractic, which must be signed by all members of the board.

History: Amended effective February 1, 1990; January 1, 2021.
General Authority: NDCC 28-32-02, 43-06-04.1, 43-06-05
Law Implemented: NDCC 43-06-08

17-02-01-10.1. License displayed.

If a licensed chiropractor moves from the chiropractor's primary location or opens a branch office, the office of the executive director must be notified of the change of location of the chiropractor within fourteen days. A current certificate or duplicate certificate issued by the board must at all times be displayed in each office of the chiropractor. In case of loss by fire or other destruction, a duplicate certificate may be issued by the board at a regular meeting upon receipt of satisfactory evidence of the destruction.

History: Effective February 1, 1990; amended effective April 1, 2001; January 1, 2021.
General Authority: NDCC 28-32-02, 43-06-04.1, 43-06-05
Law Implemented: NDCC 43-06-04.1

17-02-01-11. Second examination.

Repealed effective February 1, 1990.

17-02-01-12. Licenses recorded.

Repealed effective February 1, 1990.

17-02-01-13. License renewal and fees.

1. Every chiropractor who has been licensed by the board shall renew the license by remitting a renewal fee on or before eleven fifty-nine p.m. central standard time September first of each year, completing the questionnaire provided on the board's website, and reporting the appropriate number of continuing education credits. For applicants who receive an initial license after July first, the license will be deemed to be automatically renewed on September first for an additional year without payment of an additional renewal fee.

2. Subject to subsection 3, a license which has not been renewed as a result of nonpayment of the annual registration fee may be reinstated upon payment to the board of past renewal fees plus an additional administrative fee set by the board. Proof of appropriate continuing education hours must be presented.

3. If a license has not been renewed during a continuous two-year period, an applicant must reapply unless waived by the board for good cause.

History: Amended effective April 1, 1984; February 1, 1990; May 1,1993; April 1, 2001; July 1, 2008; January 1, 2016; January 1, 2021.
General Authority: NDCC 28-32-02, 43-06-04.1, 43-06-05
Law Implemented: NDCC 43-06-04.1, 43-06-13

17-02-01-14. License renewal - Special purposes examination for chiropractic.

Repealed effective April 1, 2001.

17-02-01-15. Lapsed licenses.

Notwithstanding the provisions in this chapter regarding renewal of lapsed licenses, once a license has lapsed, the person who held the lapsed license may not practice chiropractic or use a title reserved under state law for individuals who are licensed by the board until the individual's license is renewed or until a new license is issued. A person whose license has lapsed but who continues to practice chiropractic or use a restricted title violates state law. Such a violation is grounds for denying an application by the former licensee for renewal of the lapsed license or for a new license.

History: Effective April 1, 2001; amended effective January 1, 2021.
General Authority: NDCC 43-06-04.1
Law Implemented: NDCC 43-06-04.1

17-02-01-16. Reactivation of an inactive license.

An applicant for reactivation of an inactive license will be considered if the following conditions are met:

1. The applicant must provide a letter from all states in which that chiropractor has practiced since their North Dakota license became inactive indicating that they are in good standing to practice chiropractic in that other state or states.

2. The applicant must appear before the board if the applicant cannot show proof of active practice in some state or jurisdiction for at least six months of the last three years.

3. The applicant must take and pass the special purposes examination for chiropractic test if it has been three or more years since the chiropractor was in active practice in any state. The board may select to have any holder of an inactive license applying for reactivation take the special purposes examination or any other evaluation at its discretion.

4. The applicant must have successfully passed the jurisprudence examination in the past twelve months.

5. The applicant agrees to submit to a statewide and nationwide criminal history record check. The nationwide criminal history record check must be conducted in the manner provided by North Dakota Century Code section 12-60-24. All costs associated with obtaining a criminal history record check are the responsibility of the applicant.

History: Effective January 1, 2017; amended effective January 1, 2021.
General Authority: NDCC 28-32-02, 43-06-04.1, 43-06-08
Law Implemented: NDCC 43-06-11.1, 43-06-13