CHAPTER 96-02-02
LICENSURE

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96-02-02-01. Initial license requirements.

The following requirements apply to all applicants seeking initial licensure by the board:

1. A completed application form.
2. Payment of the appropriate application fee as set by the board.
3. Evidence of the required education.
4. The applicant has passed a national certifying examination approved by the board.
5. The applicant must meet one or more of the following conditions:
   a. The applicant has passed a national certifying examination approved by the board within two years of the date of application for initial licensure.
   b. The applicant has practiced by performing clinical laboratory testing as defined in subsection 5 of North Dakota Century Code section 43-48-01 for a total of three hundred hours within three years of the date of application for initial licensure. Proof of practice by performing clinical laboratory testing must be provided by the applicant and may be evaluated by the board for sufficiency.
   c. The applicant has obtained thirty continuing education hours within two years of the date of application for initial licensure. The continuing education hours obtained must satisfy the requirements for continuing education established in section 96-02-04-01.
6. All applications must be signed or attested to electronically.

History: Effective June 1, 1991; amended effective May 1, 2002; July 1, 2017.
General Authority: NDCC 43-48-04
Law Implemented: NDCC 43-48-04, 43-48-06, 43-48-07, 43-48-08, 43-48-09, 43-48-13

96-02-02-01.1. Military spouse licensure.

1. The board shall license individuals that meet the definition of military spouse set forth in North Dakota Century Code section 43-51-01 who, through the submission of a completed application form, demonstrate the following:
   a. The military spouse demonstrates competency in clinical laboratory practice through methods or standards determined by the board which must include experience in clinical laboratory practice for at least two of the four years preceding application.
   b. The board determines the issuance of the license will not substantially increase risk of harm to the public.

2. The board may require the submission of any information it deems necessary to assist it in making its determination. The board may deny a license if the board determines the applicant does not meet the above requirements. If the board determines the applicant substantially meets the above requirements, the board may issue a provisional license. When issuing a provisional license, the board may explain the steps necessary for the applicant to fully meet the above requirements and be issued a nonprovisional license. A provisional license must be granted automatically by the board if the board does not deny or grant the license within thirty days of application. The board may place conditions on any license or provisional license. Military spouses may not be assessed fees for the issuance of a license or provisional license under this section. A provisional license may be valid for up to two years. Provisional licenses expire for reasons, including:

   a. The board grants the application for license.

   b. The board denies the application for licensure.

   c. The provisional license expires.

   d. The board revokes the provisional license to protect the public safety.

   e. The applicant fails to meet any steps or conditions the board placed on the provisional license.

History: Effective April 1, 2020.
General Authority: NDCC 43-48-04
Law Implemented: NDCC 43-48-04, 43-48-08, 43-48-09, 43-48-13, 43-51-11.1

96-02-02-02. Requirements for specific licenses.

1. Medical technologist (clinical laboratory scientist) must have earned a bachelor's degree in a science-related discipline, completed the academic requirements of a structured clinical educational program recognized by the board, and passed a national certifying examination approved by the board.

2. A clinical laboratory specialist must have a bachelor's or higher degree with a major in one of the chemical, physical, or biological sciences and may only perform functions directly related to the person's particular specialty.

   A clinical laboratory specialist must pass a national certifying examination approved by the board in a specialty area. A license issued to a clinical laboratory specialist will designate the area of specialty.

3. A categorical license issued to a clinical laboratory specialist must designate the area of specialty. Specialty areas include:

   a. Blood bank or immunohematology;

   b. Chemistry;

   c. Hematology;

   d. Microbiology; and

   e. Molecular biology.

4. A clinical laboratory technician or medical laboratory technician must successfully complete the academic requirements of a structured clinical educational program recognized by the board and must pass a national certifying examination approved by the board.

5. The board may issue a provisional permit to a person who has applied for licensure and is eligible to take a board-recognized national certifying examination.

   The provisional permit may not exceed one year. At the board's discretion, the permit may be renewed a maximum of two consecutive times for a period of one year each.

History: Effective June 1, 1991; amended effective May 1, 2002; July 1, 2017; April 1, 2020; January 1, 2025.
General Authority: NDCC 43-48-04
Law Implemented: NDCC 43-48-04, 43-48-07, 43-48-08, 43-48-09, 43-48-11

96-02-02-03. Reciprocity.

1. The board will evaluate the submission of requests for reciprocity for licensure on an individual basis and grant such only upon a finding that the requirements for licensure in another state or jurisdiction are equal to or more stringent than those of North Dakota and that the applicant's license in another state or jurisdiction is in good standing.

2. The board may deny a request for reciprocity for licensure if the applicant has had disciplinary action taken against him or her or has engaged in conduct that violates the standards of section 96-02-09-02 or conduct that meets the requirements for discipline under North Dakota Century Code section 43-48-15 even if the applicant is currently in good standing in another state or jurisdiction.

3. If an individual applying for licensure by reciprocity under this section has been licensed previously by the board to practice in North Dakota, the individual must also meet the continuing education requirements of section 96-02-04-01 before being licensed under this section.

History: Effective June 1, 1991; amended effective May 1, 2002; July 1, 2017; April 1, 2020.
General Authority: NDCC 43-48-04
Law Implemented: NDCC 43-48-04

96-02-02-04. License renewal - Licenses are renewable biennially.

1. Notice for renewal of license will be issued by the board in May of even-numbered years to all licenseholders. An applicant for renewal must meet the continuing education requirements described in section 96-02-04-01 and submit a completed application and fees to the board on or before the first of July of the renewal year.

2. Proof of the required continuing education within the prior licensing period must be submitted with renewals.

3. If a licensee fails to receive the renewal notice, it is the responsibility of the licensee to contact the board before the first of July deadline.

4. If the applicant has not submitted a completed application and fees to the board office or has not met the continuing education requirements described in section 96-02-04-01 on or before the first of July of the renewal year, the applicant must pay the applicable late fee. A licensee may practice until his or her license expires under subsection 5 of this section or final disciplinary action is taken under section 96-02-09-01.

5. Licenses will expire if the applicant has not completed the continuing education requirements described in section 96-02-04-01 or has not submitted a completed renewal form and fees to the board within ninety days from the first of July of the renewal year. The board may waive the late fee or extend the period for license renewal due to extraordinary circumstances as determined in the board's sole discretion.

6. If an individual's license expires, the person must make application for a license in accordance with section 96-02-02-01 and meet the requirements of sections 96-02-02-02 and 96-02-04-01.

History: Effective June 1, 1991; amended effective May 1, 2002; July 1, 2017.
General Authority: NDCC 43-48-04
Law Implemented: NDCC 43-48-04, 43-48-06, 43-48-14

96-02-02-05. Registration refused, revoked, or suspended.

Repealed effective May 1, 2002.

96-02-02-06. Inactive status.

Repealed effective May 1, 2002.

96-02-02-07. Scope of practice.

The profession of clinical laboratory encompasses the design, performance, evaluation, reporting, interpreting, and clinical correlation of clinical laboratory testing, and the management of all aspects of these services. Clinical laboratory tests are utilized for the purpose of diagnosis, treatment, monitoring, and prevention of disease. The profession includes generalists as well as individuals qualified in several specialized areas of expertise including blood bank, chemistry, hematology, microbiology, and molecular biology. Integral features of each of the specialties include diagnostic testing, research, consultation, education, information management, marketing, and administration.

History: Effective January 1, 2025.
General Authority: NDCC 43-48-04
Law Implemented: NDCC 43-48-04