

Introduced by

1 A BILL for an Act to create and enact chapter 43-55 of the North Dakota Century Code, relating
2 to creation of the allied counsel professionals board; to amend and reenact subsection 4 of
3 section 25-03.3-01, subsection 8 of section 26.1-26.4-04, paragraphs 2 and 3 of subdivision f of
4 subsection 2 of section 26.1-36-09, and sections 43-32-01, 43-32-16, 43-41-01, 43-41-09,
5 43-45-01, 43-45-04, 43-46-01, 43-47-01, 43-53-01, 43-53-05, 43-53-10, and 65-02-21.1 of the
6 North Dakota Century Code, relating to consolidation of the North Dakota state board of
7 psychologist examiners, North Dakota board of social work examiners, board of addiction
8 counseling examiners, board of counselor examiners, and North Dakota marriage and family
9 therapy licensure board into the allied counsel professionals board; to repeal sections 43-32-02,
10 43-32-03, 43-32-04, 43-32-05, 43-32-06.1, 43-32-07, 43-41-08, 43-45-02, 43-45-03, 43-45-05,
11 43-47-02, 43-47-03.1, and 43-53-04 of the North Dakota Century Code, relating to creation of
12 the allied counsel professionals board; and to provide a penalty.

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

14 **SECTION 1. AMENDMENT.** Subsection 4 of section 25-03.3-01 of the North Dakota
15 Century Code is amended and reenacted as follows:

16 4. "Qualified expert" means an individual who has an expertise in sexual offender
17 evaluations and who is a psychiatrist or psychologist trained in a clinical program
18 and licensed pursuant to this state's law or a psychologist approved for exemption
19 by the ~~North Dakota~~ allied counsel professionals board of psychologist examiners
20 under chapter 43-32. For purposes of evaluating an individual with mental
21 retardation, the qualified expert must have specialized knowledge in sexual
22 offender evaluations of individuals with mental retardation.

23 **SECTION 2. AMENDMENT.** Subsection 8 of section 26.1-26.4-04 of the North Dakota
24 Century Code is amended and reenacted as follows:

1 8. Psychologists making utilization review determinations shall have current licenses
2 from the ~~state allied counsel professionals board of psychologist examiners under~~
3 chapter 43-32. Physicians making utilization review determinations shall have
4 current licenses from the state board of medical examiners.

5 **SECTION 3. AMENDMENT.** Paragraphs 2 and 3 of subdivision f of subsection 2 of
6 section 26.1-36-09 of the North Dakota Century Code are amended and reenacted as follows:

7 (2) A person who ~~is~~ was qualified for third-party payment by the board of
8 social work examiners on August 1, 1997, is exempt from paragraph 1.

9 (3) Upon the request of an insurance company, a nonprofit health service
10 corporation, or a health maintenance organization, the ~~North Dakota~~
11 allied counsel professionals board of social work examiners shall
12 provide to the requesting entity information to certify that a licensed
13 certified social worker meets the qualifications required under this
14 section.

15 **SECTION 4. AMENDMENT.** Section 43-32-01 of the North Dakota Century Code is
16 amended and reenacted as follows:

17 **43-32-01. Definitions.**

18 1. "Board" means the ~~North Dakota state~~ allied counsel professionals board of
19 ~~psychologist examiners under chapter 43-55~~. As used in this chapter, the term is
20 limited to the activities of the board under this chapter.

21 2. "Industrial-organizational psychologist" means an individual who is licensed under
22 this chapter to engage in the practice of industrial-organizational psychology.

23 3. "Industrial-organizational psychology" means the provision of psychological
24 research services or consultation services to a group or an organization. The term
25 does not include the delivery or supervision of services to individuals who are
26 themselves, rather than the group or organization, the intended beneficiaries of the
27 services, regardless of the source or extent of payment for services rendered.

28 4. "Licensee" means an industrial-organizational psychologist or a psychologist.

29 5. "Practice of psychology" means the observation, description, evaluation,
30 interpretation, or modification of human behavior by the application of
31 psychological principles, methods, and procedures for the purpose of preventing or

1 eliminating symptomatic, maladaptive, or undesired behavior and enhancing
2 interpersonal relationships, work and life adjustment, personal effectiveness,
3 behavioral health, and mental health. The term includes psychological testing and
4 the evaluation or assessment of personal characteristics, such as intelligence,
5 personality, abilities, interests, aptitudes, and neuropsychological functioning;
6 counseling, psychotherapy, and other therapeutic techniques based on
7 psychological principles; diagnosis and treatment of mental and emotional disorder
8 or disability, compulsive disorders, disorders of habit or conduct as well as of the
9 psychological aspects of physical illness, accident, injury, or disability; and
10 psychoeducational evaluation, therapy, remediation, and consultation. The term
11 includes providing psychological services to individuals, families, groups, and the
12 public regardless of whether payment is received for services rendered.

13 6. "Psychologist" means an individual who is licensed under this chapter in the
14 practice of psychology.

15 7. "Psychology resident" means an individual who has received from a school or
16 college a doctorate degree in a program of study substantially psychological in
17 nature, and who is involved in supervised psychological employment.

18 8. "School or college" means any university or other institution of higher learning
19 which is accredited by a regional accrediting association, offering a full-time
20 graduate course of study in industrial-organizational psychology or psychology.

21 **SECTION 5. AMENDMENT.** Section 43-32-16 of the North Dakota Century Code is
22 amended and reenacted as follows:

23 **43-32-16. Board to keep records.**

24 4. The board shall keep a record of its proceedings under this chapter and a register
25 of all applicants for licensing under this chapter which must show:

26 a. 1. The name, age, and residence of each applicant.

27 b. 2. The date of each applicant's application.

28 c. 3. The place of business of each applicant.

29 d. 4. A summary of the educational and other qualifications of each applicant.

30 e. 5. Whether an examination was required of an applicant.

31 f. 6. Whether a license was granted to an applicant.

- 1 ~~g.~~ 7. The date of the action of the board.
- 2 ~~h.~~ 8. Any information the board determines necessary or advisable in aid of the
- 3 requirements of this ~~subsection~~ section.
- 4 2. ~~Except as otherwise provided by law, the records of the board are public records~~
- 5 ~~and evidence of the proceedings of the board, and a transcript of board~~
- 6 ~~proceedings, duly certified by the secretary of the board, bearing the seal of the~~
- 7 ~~board, is admissible in evidence with the same effect as if the original were~~
- 8 ~~produced.~~

9 **SECTION 6. AMENDMENT.** Section 43-41-01 of the North Dakota Century Code is

10 amended and reenacted as follows:

11 **43-41-01. Definitions.** In this chapter, unless the context or subject matter otherwise

12 requires:

- 13 1. "Board" means the ~~North Dakota allied counsel professionals board of social work~~
- 14 ~~examiners~~ under chapter 43-55. As used in this chapter, the term is limited to the
- 15 activities of the board under this chapter.
- 16 2. "College or university" means an institution of higher education whose social work
- 17 program has been accredited by an accrediting body approved by the board.
- 18 3. "Licensed certified social worker" means an individual who has a doctorate or
- 19 master's degree in social work from a college or university and who has fulfilled the
- 20 requirements for licensure.
- 21 4. "Licensed independent clinical social worker" means an individual who has a
- 22 doctorate or master's degree in social work from a college or university and who
- 23 has fulfilled the requirements for licensure or has been registered by the board for
- 24 third-party reimbursement before August 1, 1997.
- 25 5. "Licensed social worker" means an individual who has a baccalaureate degree in
- 26 social work from a college or university and who has fulfilled the requirements for
- 27 licensure.
- 28 6. "Private practice of social work" means the independent practice of social work by
- 29 a qualified individual who is self-employed on a full-time or part-time basis and is
- 30 responsible for that independent practice. Consultation services provided to an

1 organization or an agency are not considered to be the private practice of social
2 work.

3 7. Social work practice consists of the professional application of social work values,
4 principles, and techniques in: helping people obtain tangible services; counseling;
5 psychotherapy with individuals, families, and groups; helping communities or
6 groups to improve social and health services; providing social casework; directly
7 supervising programs providing social work services; social work education; social
8 work research; or any combination of these. The practice of social work requires
9 knowledge of human development and behavior, of social, economic, and cultural
10 institutions, and the interaction of all these factors.

11 **SECTION 7. AMENDMENT.** Section 43-41-09 of the North Dakota Century Code is
12 amended and reenacted as follows:

13 **43-41-09. Duties and responsibilities of board.** In addition to the duties set forth
14 elsewhere in this chapter, the board shall:

- 15 1. Adopt rules to administer and carry out the provisions of this chapter.
- 16 2. Produce an annual list of the names and level of licensure of all persons licensed
17 under this chapter and make the list available upon request.
- 18 ~~3. At its discretion, employ staff and provide for staff compensation.~~
- 19 ~~4.~~ Approve examinations for licensing social workers.
- 20 ~~5.~~ 4. Establish fees and receive all moneys collected under this chapter.
- 21 ~~6. Deposit and disburse all fees and moneys collected by the board in accordance
22 with section 54-44-12.~~
- 23 ~~7.~~ 5. Recommend prosecution for violations of this chapter to the appropriate state's
24 attorney.
- 25 ~~8.~~ 6. Recommend the attorney general bring civil actions to seek injunctive and other
26 relief against violations of this chapter.
- 27 ~~9.~~ 7. Establish continuing education requirements for license renewal.
- 28 ~~10.~~ 8. Adopt a code of social work ethics.

29 **SECTION 8. AMENDMENT.** Section 43-45-01 of the North Dakota Century Code is
30 amended and reenacted as follows:

1 **43-45-01. Definitions.** As used in this chapter, unless the context or subject matter
2 otherwise requires:

- 3 1. "Addiction counseling" means the provision of counseling or assessment of
4 persons regarding their use or abuse of alcohol or a controlled substance.
- 5 2. "Board" means the allied counsel professionals board of addiction counseling
6 ~~examiners~~ under chapter 43-55. As used in this chapter, the term is limited to the
7 activities of the board under this chapter.
- 8 3. "Practicum" means a minimum of nine months clinical training including inpatient or
9 outpatient treatment work.
- 10 4. "Private practice of addiction counseling" means the independent practice of
11 addiction counseling by a qualified individual who is self-employed on a full-time or
12 part-time basis and is responsible for that independent practice. Consultation
13 services provided to an organization or agency are not the private practice of
14 addiction counseling.
- 15 5. "Work experience or internship" means a professional addiction treatment
16 experience under the supervision of a clinical supervisor in a licensed addiction
17 treatment facility or under the authority of a licensed addiction facility.

18 **SECTION 9. AMENDMENT.** Section 43-45-04 of the North Dakota Century Code is
19 amended and reenacted as follows:

20 **43-45-04. Board power, duties, and authority.** The board shall administer and
21 enforce the provisions of this chapter, evaluate the qualifications of applicants, and issue
22 licenses under this chapter. The board shall also approve addiction counselor training
23 programs and internship sites. The board may:

- 24 1. Adopt rules under chapter 28-32, relating to licensure of addiction counselors, the
25 establishment of ethical standards of practice for persons holding a license to
26 practice addiction counseling in this state, the establishment of continuing
27 education requirements, the requirements for approved addiction counselor
28 training programs, internship sites, the requirements for clinical supervisors, the
29 requirements for individuals in the private practice of addiction counseling, and
30 requirements for trainee or internship approval.

- 1 2. Issue subpoenas, examine witnesses, and administer oaths, and may investigate
- 2 allegations of practices violating the provisions of this chapter.
- 3 3. Recommend prosecution for violations of this chapter to the appropriate state's
- 4 attorney.
- 5 4. Recommend that the attorney general bring civil actions to seek injunctive and
- 6 other relief against violations of this chapter.
- 7 5. Approve and administer examinations for licensing addiction counselors.
- 8 6. Collect a fee set by the board on the filing of each application for a license to
- 9 practice addiction counseling.
- 10 7. ~~Appoint or employ persons to assist the board in carrying out its duties under this~~
- 11 ~~chapter.~~

12 **SECTION 10. AMENDMENT.** Section 43-46-01 of the North Dakota Century Code is
13 amended and reenacted as follows:

14 **43-46-01. Definitions.**

- 15 1. "Board" means:
 - 16 a. The board of registry in podiatry;
 - 17 b. The state board of chiropractic examiners;
 - 18 c. The state board of funeral service;
 - 19 d. The North Dakota board of nursing;
 - 20 e. The North Dakota state board of optometry;
 - 21 f. The state board of pharmacy;
 - 22 g. The state board of medical examiners;
 - 23 h. The North Dakota board of massage;
 - 24 i. The state examining committee for physical therapists;
 - 25 j. The state board of dental examiners;
 - 26 k. The state board of veterinary medical examiners;
 - 27 l. ~~The North Dakota state board of psychologist examiners;~~
 - 28 ~~m.~~ The board of hearing aid specialists;
 - 29 ~~n.~~ m. The North Dakota state board of examiners for nursing home administrators;
 - 30 ~~o.~~ n. The state board of examiners of audiology and speech pathology;
 - 31 ~~p.~~ o. The North Dakota board of athletic trainers;

- 1 3. "Counselor" means a person who has been granted either a professional counselor
2 or associate professional counselor license by the board.
- 3 4. "Licensed associate professional counselor" means a person who has been
4 granted an associate professional license by the board to offer and conduct
5 counseling under the supervision of a licensed professional counselor or such
6 other person meeting the requirements of supervising professional set by the
7 board.
- 8 5. "Licensed professional counselor" means a person who is trained in counseling or
9 a related human service field and has been granted a professional counselor
10 license by the board.

11 **SECTION 12. AMENDMENT.** Section 43-53-01 of the North Dakota Century Code is
12 amended and reenacted as follows:

13 **43-53-01. Definitions.** As used in this chapter, unless the context otherwise requires:

- 14 1. "Advertise" includes the issuing or causing to be distributed any card, sign, or
15 device to any person; the causing, permitting, or allowing any sign or marking in or
16 on any building, radio, or television; or advertising by any other means designed to
17 secure public attention.
- 18 2. "Board" means the ~~North Dakota marriage and family therapy licensure allied~~
19 counsel professionals board under chapter 43-55. As used in this chapter, the
20 term is limited to the activities of the board under this chapter.
- 21 3. "Licensed marriage and family therapist" means an individual who holds a valid
22 license issued under this chapter.
- 23 4. "Marriage and family therapy" means the diagnosis and treatment of mental and
24 emotional disorders, whether cognitive, affective, or behavioral, within the context
25 of marriage and family systems. Marriage and family therapy involves the
26 professional application of psychotherapeutic and family systems theories and
27 techniques in the delivery of services to individuals, couples, and families for the
28 purpose of treating such diagnosed nervous and mental disorders.
- 29 5. "Practice of marriage and family therapy" means the rendering of marriage and
30 family therapy services to individuals, couples, and families, singly or in groups,

- 1 whether the services are offered directly to the general public or through
2 organizations, either public or private, for a fee, monetary or otherwise.
- 3 6. "Qualified supervision" means the supervision of clinical services, in accordance
4 with standards established by the board, by an individual who has been recognized
5 by the board as an approved supervisor.
- 6 7. "Recognized educational institution" means any educational institution that grants a
7 baccalaureate or higher degree that is recognized by the board and by a regional
8 accrediting body, or a postgraduate training institute accredited by the commission
9 on accreditation for marriage and family therapy education.
- 10 8. "Use a title or description of" means to hold oneself out to the public as having a
11 particular status by means of stating on signs, mailboxes, address plates,
12 stationery, announcements, calling cards, or other instruments of professional
13 identification.

14 **SECTION 13. AMENDMENT.** Section 43-53-05 of the North Dakota Century Code is
15 amended and reenacted as follows:

16 **43-53-05. Board powers and duties.**

- 17 1. The board shall administer and enforce this chapter. The board shall adopt rules
18 as the board determines necessary.
- 19 2. The board shall examine and pass on the qualifications of all applicants and shall
20 issue a license to each successful applicant. The board shall ~~adopt a seal which~~
21 ~~must be affixed~~ affix its seal to all licenses issued by the board.
- 22 3. The board may authorize expenditures determined necessary to carry out this
23 chapter.
- 24 4. ~~Four of the members of the board constitute a quorum. The board may employ~~
25 ~~attorneys, experts, and other employees as necessary for the proper performance~~
26 ~~of the board's duties.~~
- 27 ~~5.~~ 5. The board shall adopt a nationally recognized code of ethics for the practice of
28 marriage and family therapy.
- 29 ~~6.~~ 5. The board shall establish continuing education requirements for license renewal.
- 30 ~~7.~~ 6. The board shall publish an annual list of the names and addresses of all individuals
31 licensed under this chapter.

1 **SECTION 14. AMENDMENT.** Section 43-53-10 of the North Dakota Century Code is
2 amended and reenacted as follows:

3 **43-53-10. Disciplinary proceedings.**

- 4 1. The board may deny, revoke, or suspend a license granted under this chapter on
5 the following grounds:
- 6 a. Conviction by a court of competent jurisdiction of an offense that the board
7 determines to be of such a nature as to render the licensee unfit to practice
8 marriage and family therapy. The board shall compile, maintain, and publish
9 a list of such offenses.
- 10 b. Violation of ethical standards of such a nature as to render the licensee unfit
11 to practice marriage and family therapy. The board shall publish such ethical
12 standards.
- 13 c. Fraud or misrepresentation in obtaining a license.
- 14 d. Any just and sufficient cause that renders a licensee unfit to practice marriage
15 and family therapy.
- 16 2. A license may be denied, suspended, or revoked for the reasons set forth in
17 subsection 1. ~~A license may not be denied, suspended, or revoked under this~~
18 ~~section except by majority vote of the full board, notwithstanding any other~~
19 ~~provision of this chapter.~~
- 20 3. Any person may file a complaint with the board seeking denial, suspension, or
21 revocation of a license issued or to be issued by the board. The complaint must be
22 in a form prescribed by the board and must be verified under oath by the
23 complainant or a duly authorized officer of a complainant. If the board determines
24 that a complaint alleges facts that, if true, would require denial, revocation, or
25 suspension of a license, the board promptly shall institute a hearing. If the board
26 determines a complaint does not state facts warranting a hearing, the complaint
27 may be dismissed. The board may institute a hearing for denial, suspension, or
28 revocation of a license on its own motion.
- 29 4. Any person may be permitted to intervene and participate in board hearings on
30 denial, suspension, or revocation of licenses upon a showing of an interest in such
31 proceeding.

1 5. Any individual whose license has been suspended or revoked may apply to the
2 board for vacation of the suspension or reinstatement of the license.

3 **SECTION 15.** Chapter 43-55 of the North Dakota Century Code is created and enacted
4 as follows:

5 **43-55-01. Definitions.** In this chapter, unless the context otherwise requires:

6 1. "Allied counsel professions" means the licensed professions of the practice of
7 psychology, under chapter 43-32; social work practice, under chapter 43-41;
8 addiction counseling, under chapter 43-45; counseling, under chapter 43-47; and
9 the practice of marriage and family therapy, under chapter 43-53.

10 2. "Board" means the allied counsel professionals board.

11 3. "Licensee" means an allied counsel professional licensed by the board.

12 **43-55-02. Allied counsel professionals board.**

13 1. The allied counsel professionals board consists of thirty members appointed by the
14 governor. Except for the initial board, the term of office of each member of the
15 board is three years, beginning on July first and ending on June thirtieth. Upon the
16 expiration of a member's regular term, the board member shall continue to serve
17 until a successor is appointed. The governor shall fill all vacancies by appointment
18 within thirty days of the end of the regular term or within thirty days after receiving
19 notification of the unscheduled vacancy. In the case of a vacancy before the
20 expiration of a term, the appointment must be for the remainder of the term. A
21 member may serve no more than two consecutive regular terms. The appointment
22 of a member automatically terminates when the member ceases to meet the
23 qualifications of appointment. An individual appointed to board membership
24 qualifies by taking the oath required of civil officers.

25 2. The governor may remove a board member for good cause after giving that
26 member a written statement of the reasons for removal and after that member has
27 had an opportunity for a hearing.

28 3. A board member may not participate in any matter before the board in which that
29 member has a pecuniary interest, personal bias, or other similar conflict of interest.

30 4. A majority of the members of the board constitutes a quorum.

31 **43-55-03. Board membership.**

- 1 1. The initial board is made up of the individuals who until the effective date of this Act
2 were serving as members of the former North Dakota state board of psychologist
3 examiners, North Dakota board of social work examiners, board of addiction
4 counseling examiners, board of counselor examiners, and North Dakota marriage
5 and family therapy licensure board. Upon the termination of these five boards, the
6 members of these five former boards automatically transition into serving on the
7 allied counsel professionals board. Before January 1, 2008, the governor shall
8 modify the ending date of the initial board members' terms as necessary to provide
9 for continuity and even distribution of vacancies. Term modifications made under
10 this subsection must be done in a manner that minimizes the lengthening or
11 shortening of the terms of board members.
- 12 2. Each member of the board must be a resident of this state.
- 13 3. The board shall represent the allied counsel professionals as follows:
- 14 a. Five members representing the practice of psychology, at least one of whom
15 must be engaged primarily in providing service in psychology and at least one
16 of whom must be engaged primarily in teaching, training, or research in
17 psychology. Each of these five members must be a licensed psychologist;
18 have received a doctorate degree in psychology from a school or college at
19 least five years before appointment on the board; and have actively engaged
20 in the practice of teaching or research of psychology for at least five years.
- 21 b. Four members representing social workers, two of whom must be licensed
22 social workers, one of whom must be a licensed certified social worker, and
23 one of whom must be a licensed independent clinical social worker.
- 24 c. Seven members representing addiction counselors, six of whom are licensed
25 addiction counselors actively engaged in the practice of addiction counseling
26 and one of whom is a licensed addiction counselor in private practice.
- 27 d. Three members representing counselors, two of whom are practicing
28 counselors and one of whom is a counselor educator.
- 29 e. Three members representing marriage and family therapists, all of whom
30 must be licensed practicing marriage and family therapists. During the two
31 years preceding appointment on the board, each of these three members

1 must have been a resident of this state. For at least five years preceding
2 appointment, each of these three members must have been actively engaged
3 as marriage and family therapists in rendering professional services in
4 marriage and family therapy; in the education and training of master's,
5 doctoral, or postdoctoral students of marriage and family therapy; or in
6 marriage and family therapy research.

7 f. Eight representatives of the general public who may not have any direct
8 affiliation with the practice of any of the allied health professions.

9 **43-55-04. Board powers and duties.**

- 10 1. The board shall regulate the practice of the allied counsel professions, including
11 the issuances of licenses and the regulation of licensees.
- 12 2. Annually the board shall select a president, a vice president, and any other officers
13 from among its members. The president shall preside at meetings of the board
14 and the vice president shall preside at meetings of the board in the president's
15 absence.
- 16 3. The board shall meet at least twice a year. Additional meetings may be held at the
17 discretion of the president, upon written request of any three members of the
18 board, or upon the written request of the governor.
- 19 4. The board shall appoint or employ an individual to serve as secretary of the board
20 and may appoint or employ other individuals as appropriate to assist the board.
- 21 5. The board shall adopt rules to administer this chapter and chapters 43-32, 43-41,
22 43-45, 43-47, and 43-53.
- 23 6. The board shall deposit and disburse all fees and moneys collected by the board in
24 accordance with section 54-44-12.
- 25 7. The board shall adopt a seal.
- 26 8. The board shall promptly notify the governor of any unscheduled vacancy.

27 **43-55-05. Rules.** The rules adopted by the North Dakota state board of psychologist
28 examiners, North Dakota board of social work examiners, board of addiction counseling
29 examiners, board of counselor examiners, and North Dakota marriage and family therapy
30 licensure board which were in effect immediately preceding the effective date of this Act
31 automatically become rules of the allied counsel professionals board.

1 **43-55-06. Board member compensation.** Each member of the board serves without
2 compensation but is entitled to receive expenses as provided in section 54-06-09 and is entitled
3 to receive a per diem if the board fixes a per diem rate.

4 **43-55-07. Board to keep records.** Except as otherwise provided by law, the records
5 of the board are public records and evidence of the proceedings of the board. A transcript of
6 board proceedings, duly certified by the secretary of the board and bearing the seal of the
7 board, is admissible in evidence with the same effect as if the original were produced.

8 **43-55-08. Penalty.** Any person who violates this chapter is guilty of a class B
9 misdemeanor.

10 **SECTION 16. AMENDMENT.** Section 65-02-21.1 of the North Dakota Century Code is
11 amended and reenacted as follows:

12 **65-02-21.1. Licensure required for psychologists and physicians performing**
13 **utilization review.** Psychologists making utilization review determinations under sections
14 65-02-20 and 65-02-21 shall have current licenses from the ~~state~~ allied counsel professionals
15 board of psychologist examiners under chapter 43-32. Physicians making utilization review
16 determinations under sections 65-02-20 and 65-02-21 shall have current licenses from the state
17 board of medical examiners. This requirement does not apply to psychologists or physicians
18 conducting independent medical examinations under section 65-05-28.

19 **SECTION 17. REPEAL.** Sections 43-32-02, 43-32-03, 43-32-04, 43-32-05, 43-32-06.1,
20 43-32-07, 43-41-08, 43-45-02, 43-45-03, 43-45-05, 43-47-02, 43-47-03.1, and 43-53-04 of the
21 North Dakota Century Code are repealed.