

Introduced by

Senators Lee, Anderson, K. Roers

Representatives Keiser, Rohr, Weisz

1 A BILL for an Act to amend and reenact section 43-51-07 of the North Dakota Century Code,
2 relating to the powers of occupational boards under occupational compacts; to repeal chapters
3 43-12.4, 43-12.5, 43-17.4, and 43-26.2 of the North Dakota Century Code, relating to the nurse
4 licensure compact, advanced practice registered nurse licensure compact, interstate medical
5 licensure compact, and physical therapy licensure compact; and to provide a contingent
6 effective date.

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

8 **SECTION 1. AMENDMENT.** Section 43-51-07 of the North Dakota Century Code is
9 amended and reenacted as follows:

10 **43-51-07. License compacts.**

- 11 1. A board may establish, by administrative rule, conditions and procedures for foreign
12 practitioners to practice in this state pursuant to written compacts or agreements
13 between the board and one or more other states or jurisdictions or pursuant to any
14 other method of license recognition that ensures the health, safety, and welfare of the
15 public. Any compact or agreement by a board does not become binding on this state
16 until implemented by administrative rules under this section.
- 17 2. If a board or the legislative assembly enters a compact affecting the qualifications of a
18 foreign practitioner:
- 19 a. The relevant board shall monitor the rules adopted under the compact to ensure
20 the rules are consistent with the compact and sufficiently protect the health and
21 safety of the residents of this state, including whether the licensure of foreign
22 practitioners adequately considers factors such as education, experience, and
23 disciplinary status.

1 b. The relevant board shall adopt administrative rules that reflect the compact rules
2 unless the board determines the compact rules are clearly inconsistent with the
3 compact or do not sufficiently protect the health and safety of the residents of this
4 state.

5 3. For purposes of this section, the term board includes the state board of accountancy,
6 state electrical board, North Dakota real estate appraiser qualifications and ethics
7 board, state real estate commission, secretary of state with respect to contractor
8 licensing, North Dakota board of medicine, and state board of dental examiners.

9 **SECTION 2. REPEAL.** Chapter 43-12.4 of the North Dakota Century Code is repealed.

10 **SECTION 3. REPEAL.** Chapter 43-12.5 of the North Dakota Century Code is repealed.

11 **SECTION 4. REPEAL.** Chapter 43-17.4 of the North Dakota Century Code is repealed.

12 **SECTION 5. REPEAL.** Chapter 43-26.2 of the North Dakota Century Code is repealed.

13 **SECTION 6. CONTINGENT EFFECTIVE DATE.** Section 2 of this Act becomes effective on
14 the date the executive director of the North Dakota board of nursing certifies to legislative
15 council that the board has determined the rules adopted under the nurse licensure compact are
16 clearly inconsistent with the compact or do not sufficiently protect the health and safety of the
17 residents of this state.

18 **SECTION 7. CONTINGENT EFFECTIVE DATE.** Section 3 of this Act becomes effective on
19 the date the executive director of the North Dakota board of nursing certifies to legislative
20 council that the board has determined the rules adopted under the advanced practice registered
21 nurse licensure compact are clearly inconsistent with the compact or do not sufficiently protect
22 the health and safety of the residents of this state.

23 **SECTION 8. CONTINGENT EFFECTIVE DATE.** Section 4 of this Act becomes effective on
24 the date the executive director of the North Dakota board of medicine certifies to legislative
25 council that the board has determined the rules adopted under the interstate medical licensure
26 compact are clearly inconsistent with the compact or do not sufficiently protect the health and
27 safety of the residents of this state.

28 **SECTION 9. CONTINGENT EFFECTIVE DATE.** Section 5 of this Act becomes effective on
29 the date the executive officer of the North Dakota board of physical therapy certifies to
30 legislative council that the board has determined the rules adopted under the physical therapy

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- 1 licensure compact rules are clearly inconsistent with the compact or do not sufficiently protect
- 2 the health and safety of the residents of this state.