

1       **SECTION 107. AMENDMENT.** Section 23-01-05 of the North Dakota Century Code is  
2 amended and reenacted as follows:  
3       **23-01-05. Health officer - Qualifications, salary, term, duties - Advisory committee.**  
4       The ~~governor~~executive director of the department of health and human services shall  
5 appoint a physician licensed in this state as the state health officer who ~~must have had~~  
6 ~~substantive private or public administrative experience and demonstrated experience in the~~  
7 ~~management of people.~~ The state health officer is entitled to receive a salary commensurate  
8 with that person's training and experience. The ~~governor~~executive director of the department of  
9 health and human services shall set the salary of the state health officer within the limits of  
10 legislative appropriations to the department. The state health officer is entitled to receive all  
11 necessary traveling expenses incurred in the performance of official business. ~~The state health~~  
12 ~~officer may not engage in any other occupation or business that may conflict with the statutory~~  
13 ~~duties of the state health officer and holds office for a term of four years beginning January 1,~~  
14 ~~1993. The state health officer is the administrative officer of the state department of health. If~~  
15 ~~the governor does not appoint as state health officer a physician licensed in this state, the~~  
16 ~~governor shall appoint at least three licensed physicians recommended by the state medical~~  
17 ~~association to serve as an advisory committee to the state health officer. Each member of the~~  
18 ~~advisory committee is entitled to receive reimbursement of expenses in performing official~~  
19 ~~duties in amounts provided by law for other state officers. The term of the advisory committee~~  
20 ~~coincides with the term of the state health officer. A committee member serves at the pleasure~~  
21 ~~of the governor.~~ The duties of the state health officer are as follows:

Page 56 Lines 4-5

The governor shall appoint a physician as the state health officer who would be a member of the governor's cabinet.

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The governor shall set the salary of the state health officer within the limits of legislative appropriations to the department.

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- 1 license is required from the department pursuant to rules adopted under chapter
- 2 23-16.
- 3 5. Hold hearings on all matters brought before it by applicants and licensees of medical
- 4 hospitals with reference to the denial, suspension, or revocation of licenses and make
- 5 appropriate determination as specified herein.
- 6 The council may direct the state health officer to do or cause to be done any or all of the things
- 7 which may be required in the proper performance of the various duties placed upon the state-
- 8 department of health and human services.

Page 55 lines 6-8

Remove all language in lines 6-8