



STATE OF NORTH DAKOTA
GOVERNOR KELLY ARMSTRONG

NORTH DAKOTA STATE BOARD OF PHARMACY
OFFICE OF THE EXECUTIVE DIRECTOR

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Bill No 2308 Boards Review Task Force
House Government and Veterans Affairs Committee
10:00 AM - Thursday – March 13, 2025

Chairman Schauer and members of the House Government and Veterans Affairs Committee, for the record I am Mark Hardy, Executive Director of the North Dakota State Board of Pharmacy. I appreciate the opportunity to be here to testify on Senate Bill 2308.

Overall, I appreciate the approach to this bill to have a targeted proposal to remove various entities that are creatures of the ND Century Code which are no longer necessary. With respect to section 10 (page 8) on the creation of a Task Force, I want to offer a few issues for your consideration.

The task force was originally proposed to review statutorily created Boards, Commissions and Councils of the state. The amendments adopted seem to make this only apply to Boards which I am not sure was intended.

Page 8 line 27, calls for a task force to issue performance evaluations. I am unsure of what process would be envisioned to be completed by the task force but, from a business perspective, a traditional performance evaluation is a very deep dive into job duties and functions of, most commonly, an individual to provide feedback on their performance and guide future development. It just doesn't seem to fit, in the context of a task force with the goals proposed, unless there is a desire to get into the minute details of a board's operations. I would, respectfully, ask the committee to eliminate that charge or change "shall" to "may" on line 25 to allow flexibility.

On Page 9, line 11, the Senate added a representative of the Boards appointed by the Governor. The strange thing is that the 3000 version of the bill had it as a "representative" per the Committees action and intent however the language reverted back to "member" which is an important distinction given a representative would be a broader group including those employed by a Board. We would request that "member" be changed to "representative" which we believe was a simple drafting error.

Speaking from our experience during the numerous studies on licensing boards over the last few years, we feel strongly that this inclusion of boards in this task force will bring an intimate understanding of Board operations and the landscape for considerations in which this task force is charged to drive meaningful policy solutions. As an example, during the Labor Commissioner's study, the former Commissioner utilized various Executive Directors of Boards' expertise to meaningfully look at licensing board reforms. That led to the policy solutions being looked at in another piece of legislation (SB2395). Without this representation and perspective, there may be misunderstandings about the implications of their decisions.

I also want to highlight to the committee that House Bill 1442 is currently written to create a similar task force which would be inclusive of Boards as part of a “DOGE” type of approach for our state. This bill proposed by Representative Toman was passed out of the IBL committee and the House overwhelmingly and has had the hearing in Senate Taxation and Finance who has recognized the duplication with this bill. We hope that the duplication can be considered in either bill not to create two task forces and minimize the burden over Boards who are limited in resources and staff to address these efforts.

We appreciate the bill sponsors bringing this legislation forward. Licensing boards serve a very important purpose for the health and safety of our citizens, helping with workforce, and functioning as some of the most accessible extensions of our government. I appreciate you hearing our testimony and I would be happy to address any questions.