

**2025 HOUSE HUMAN SERVICES**

**HB 1049**

# **2025 HOUSE STANDING COMMITTEE MINUTES**

## **HUMAN SERVICES COMMITTEE PIONEER ROOM, STATE CAPITOL**

HB 1049  
1/8/2025

Relating to licensure requirements of a speech-language pathology licensed assistant.
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9:45 Chairman Ruby called the meeting to order.

Members present: Chairman Ruby, Vice Chairman Frelich, Representatives Anderson, Beltz, Bolinske, Dobervich, Fegley, Hendrix, Holle, Kiefert, Rios, Rohr

Members absent: Representative Davis

### **Discussion Topics:**

- Licensure requirements
- Temporary licensure
- Licensed assistants

9:47 Robyn Zeltinger - ND State Board of Examiners for Audiology, testified in favor and submitted testimony. #28159

9:59 Chairman Ruby closed the hearing.

*Jackson Toman, Committee Clerk*

**Robyn Zeltinger**

Bismarck, ND

Robyn.zeltinger@gmail.com

January 7<sup>th</sup>, 2025

Dear Chairman Ruby and Members of the House Human Services Committee,

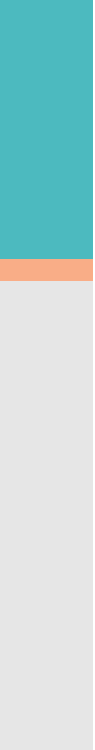
My name is Robyn Zeltinger, and I am a licensed, American-Speech-Language-Hearing Association-certified speech-language pathologist in North Dakota. In addition to my current employment as Chair of the Department of Speech-Language Pathology at the University of Mary in Bismarck, I volunteer my time to serve as the acting President of the North Dakota State Board of Examiners on Audiology and Speech-Language Pathology (NDSBE SLP/AUD).

I am here today to provide testimony on behalf of the NDSBE SLP/AUD in favor of House Bill 1049 (HB 1049). HB 1049 includes amendments to the ND Century Code relating to the scope of audiology, licensure requirements for speech-language pathology assistants, temporary licensure, and statutory authority to issue a subpoena in the case of an alleged violation.

Briefly, HB 1049 proposes amending Subsection 2 of section 43-37-02 of the ND Century Code to include the term “managing” in the scope of audiology. “Managing” is frequently used to encompass hearing aid check and fitting services. This amendment will ensure alignment with revisions made by 3rd party billing and reimbursement for audiology services. Therefore, to align with changes in the use of professional terminology and to remove barriers to successful billing and reimbursement procedures, the NDSBE supports the addition of the term “managing” to Subsection 2 of section 43-37-02 of the ND Century Code.

Next, HB 1049 includes a critical amendment to the Century Code relevant to the licensure requirements for SLP Licensed Assistants (SLP/LA). During the 2017 legislative session, SLP/LAs were added to the ND Century Code. At that time, licensure requirements included a bachelor’s degree in communication sciences and disorders. Since then, new programs have been developed where an individual can earn an associate’s degree specific to a speech-language pathology assistant. House Bill 1049 proposes an amendment to allow individuals holding an associate’s degree from a speech-language pathology assistant program eligibility to apply for SLP/LA licensure in the state of ND.

The NDSBE also supports amending the current Century Code to include a pathway to licensure for individuals with bachelor’s degrees in a field other than communication sciences and disorders provided they submit evidence of successful completion of the CSD-specific



coursework outlined in HB 1049. The proposed SLP/LA licensure changes in HB 1049 will remove barriers to licensure and practice in ND while aligning with professional practice updates in the field.

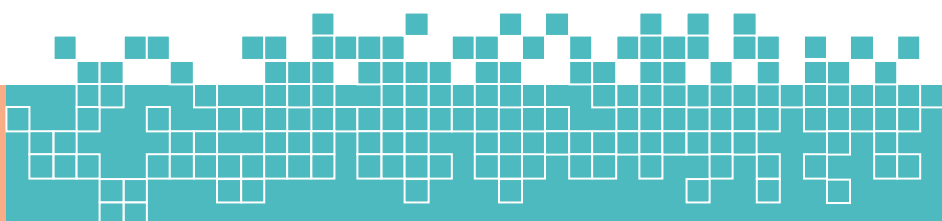
Also relating to licensure, HB 1049 proposes additional language to allow SLP and SLP/LA applicants to apply for a temporary license. This amendment will expedite the licensure process for those seeking re-licensure or reciprocity, again removing barriers to practice while continuing to uphold the requirements for licensure.

Finally, House Bill 1049 proposes amending the Century Code to include language allowing the board's statutory authority to subpoena records relating to alleged violations or misconduct.

As the acting President of the ND State Board of Examiners for Speech-Language Pathology and Audiology and on behalf of the members of the board, I support the amendments proposed in House Bill 1049.

Thank you for your time and consideration.

Robyn Zeltinger



# 2025 HOUSE STANDING COMMITTEE MINUTES

## Human Services Committee Pioneer Room, State Capitol

HB 1049  
1/15/2015

Relating to licensure requirements of a speech-language pathology licensed assistant and temporary licensure.

2:40 p.m. Chairman M. Ruby opened the hearing.

Members Present: Chairman M. Ruby, Vice-Chairman Frelich, Representatives K. Anderson, Beltz, Bolinske, Davis, Dobervich, Fegley, Hendrix, Holle, Kiefert, Rios, Rohr

### Discussion Topics:

- Committee action

2:41 p.m. Representative Dobervich moved a Do Pass.

2:41 p.m. Representative Fegley seconded the motion.

2:42 p.m. Representatives Dobervich withdrew the motion.

2:43 p.m. Representative Frelich moved to adopt amendment LC#25.8032.01001.

2:43 p.m. Representative Dobervich seconded the motion.

2:43 p.m. Voice vote passed.

2:44 p.m. Representative Dobervich moves Do Pass.

2:44 p.m. Representative Bolinske seconded the motion.

Representatives	Vote
Representative Matthew Ruby	Y
Representative Kathy Frelich	Y
Representative Karen Anderson	Y
Representative Mike Beltz	Y
Representative Macy Bolinske	Y
Representative Jayme Davis	Y
Representative Gretchen Dobervich	Y
Representative Cleyton Fegley	Y
Representative Jared Hendrix	Y
Representative Dawson Holle	Y
Representative Dwight Kiefert	Y
Representative Nico Rios	N
Representative Karen Rohr	Y

2:45 p.m. Motion passed 12-1-0.

Representative Fegley will carry the bill.

2:45 p.m. Chairman M. Ruby closed the hearing.

*Jackson Toman, Committee Clerk*

January 15, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

**PROPOSED AMENDMENTS TO**

**HOUSE BILL NO. 1049**

Introduced by

Human Services Committee

(At the request of the Board of Examiners on Audiology and Speech-Language Pathology)

*Handwritten:* 1-15-25  
1 of 3

A BILL for an Act to amend and reenact subsection 2 of section 43-37-02 and ~~sections~~ section 43-37-04 ~~and 43-37-13~~ of the North Dakota Century Code, relating to licensure requirements of a speech-language pathology licensed assistant, and temporary licensure, ~~and investigation of an alleged violation.~~

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

**SECTION 1. AMENDMENT.** Subsection 2 of section 43-37-02 of the North Dakota Century Code is amended and reenacted as follows:

2. "Audiology" means the application of principles, methods, and procedures of measurement, testing, evaluation, prediction, consultation, counseling, instruction, habilitation, or rehabilitation related to hearing and disorders of hearing including vestibular testing, for the purpose of evaluating, identifying, managing, preventing, ameliorating, or modifying such disorders and conditions in individuals or groups of individuals.

**SECTION 2. AMENDMENT.** Section 43-37-04 of the North Dakota Century Code is amended and reenacted as follows:

**43-37-04. Eligibility for licensure.**

To be eligible for licensure by the board as an audiologist, speech-language pathologist, or speech-language pathology assistant, an applicant shall meet all the following requirements:

1. Be of good moral character.

JB 2013

2. Possess an appropriate degree from an educational institution recognized by the board.

a. An applicant for a speech-language pathologist license must possess at least a master's degree in speech-language pathology.

b. An applicant for an audiologist license must possess at least a doctorate degree in audiology.

c. An applicant for a speech-language pathology assistant license must possess at least one hundred hours of supervised clinical experience and:

(1) A bachelor's degree in speech-language pathology or communication disorders; or

(2) A two-year degree in speech-language pathology assistants program or a bachelor's degree in another field with coursework in the following areas:

(a) Introduction to communication disorders;

(b) Phonetics;

(c) Speech sound disorders;

(d) Language development;

(e) Language disorders; and

(f) Anatomy and physiology of speech and hearing mechanisms.

d. An applicant for a temporary license must show proof of active licensure within the past five years in the state or another jurisdiction. Limitations on temporary licensure length and qualifications to obtain full licensure must be prescribed by rules of the board.

3. Submit evidence showing qualifications prescribed by rules of the board.

4. Within one year of application an applicant for licensure as a speech-language pathologist, speech-language pathology assistant, or audiologist must pass any applicable examination prescribed by rules adopted by the board.

5. Pay the prescribed fee.

**SECTION 3. AMENDMENT.** ~~Section 43-37-13 of the North Dakota Century Code is amended and reenacted as follows:~~



~~43-37-13. Disciplinary actions.~~

~~1. The board may refuse to issue or renew a license, suspend or revoke a license, or take other disciplinary action against a licensee if the licensee or applicant for license engaged in unprofessional conduct. Unprofessional conduct includes:~~

~~a. Obtaining a license by means of fraud, misrepresentation, or concealment of material facts.~~

~~b. Engaging in unprofessional conduct, as defined by the rules adopted by the board, or violating the code of ethics adopted by the board by rule.~~

~~c. Being convicted of an offense if the acts for which that individual is convicted are determined by the board to have a direct bearing on that applicant's or licensee's ability to serve the public in the capacity of a speech-language pathologist, speech-language pathology assistant, or audiologist; or the board determines that applicant or licensee, following conviction of any other offense, is not sufficiently rehabilitated under section 12.1-33-02.1.~~

~~d. Violating an order or rule adopted by the board.~~

~~e. Violating this chapter.~~

~~f. Receiving remuneration of any kind from the sale of any type of hearing aid, unless licensed under chapter 43-33.~~

~~2. To pursue investigation of an alleged violation of this chapter, the board may subpoena and examine witnesses and records, including client records. The board may require a licensee to give statements under oath.~~

~~3. One year from the date of revocation of a license, the licensee may make application to the board for reinstatement. The board may accept or reject an application for reinstatement or may require an examination for reinstatement.~~

**REPORT OF STANDING COMMITTEE  
HB 1049**

**Human Services Committee (Rep. M. Ruby, Chairman)** recommends **AMENDMENTS** ([25.8032.01001](#)) and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1049 was placed on the Sixth order on the calendar.

**2025 SENATE WORKFORCE DEVELOPMENT**

**HB 1049**

# 2025 SENATE STANDING COMMITTEE MINUTES

## Workforce Development Committee Fort Lincoln Room, State Capitol

HB 1049  
2/20/2025

Relating to licensure requirements of a speech-language pathology licensed assistant and temporary licensure.

9:01 a.m. Chairman Wobbema called the meeting to order.

Members Present: Chairman Wobbema, Vice-Chairman Axtman, Senator Boschee, Senator Larson, Senator Powers.

### **Discussion Topics:**

- Subpoena authority
- Speech-Language Pathology Prerequisites

9:02 a.m. Courtney Olson, Licensing Secretary for Audiology & Speech Language Pathology, testified in favor and submitted testimony #38094.

9:06 a.m. Matthew Menge, General Counsel for Division Speech and Language Attorney General, testified in favor and submitted testimony #38163.

9:13 a.m. Michelle Woodcock, Department of Public Instruction Special Education Regional Coordinator, testified in favor and submitted testimony #38054.

### **Additional written testimony:**

Nan H. Raphael submitted written testimony in opposition #38110

9:18 a.m. Chairman Wobbema closed the hearing.

*Andrew Ficek, Committee Clerk*

**TESTIMONY ON HB 1049**  
**SENATE WORKFORCE DEVELOPMENT COMMITTEE**  
**February 20, 2025**  
**By: Michelle Woodcock, Special Education Regional Coordinator**  
**Office of Specially Designed Services**  
**701-328-2633**  
**North Dakota Department of Public Instruction**

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Chairman Wobbema and Members of the Committee:

My name is Michelle Woodcock, and I am a Regional Coordinator in the Office of Specially Designed Services with the Department of Public Instruction. I am here to speak in favor of HB 1049 with recommended amendments.

Approximately 79% of speech-language pathologists work within schools in the United States ([www.bls.gov](http://www.bls.gov)). The shortage of trained speech-language pathologists in North Dakota is well documented. The North Dakota Department of Public Instruction has tried many creative strategies to address this shortage in schools. In 2004, the North Dakota Department of Public Instruction, in collaboration with the faculty of the Communication Sciences and Disorders Department of Minot State University and special education unit directors from across the state, launched the associate degree in speech-language pathology paraprofessional program. For the past 21 years, Lake Region State College has delivered the speech-language pathology paraprofessional program. The North Dakota Department of Public Instruction issues the SLPP Certificate to verify

candidates who have met the requirements of this program or an equivalent program and are prepared to work in North Dakota schools. The NDDPI Office of Specially Designed Services has issued 251 certificates to date.

With HB 1049 and the Board of Examiners on Audiology and Speech-Language Pathology adding a two-year degree in speech-language pathology assistants' program to qualify for a speech-language pathology assistants license, the North Dakota Department of Public Instruction would like to ask for an amendment to the bill to grandfather certificates issued by the North Dakota Department of Public Instruction to speech-language pathology paraprofessionals from 2004 to 2026. Lake Region State College's program of study and the coursework laid out in this program for a two-year institution are very similar. Allowing the grandfathering of these students from the inception of this program to the present day would allow students at Lake Region State College to receive the licenses as well as allow Lake Region State College time to make any program updates to satisfy this bill's requirement. This amendment would allow the North Dakota Department of Public Instruction to allow the board to administer all licensure in the state for clinical or school-based speech-language pathology licensed assistants.

Chairman Wobbema and Members of the Committee, that concludes my prepared testimony and I will stand for any questions that you may have.

Chairman Wobbema and Senators of the Work Force Development Committee,

Thank you for having me here today. My name is Courtney Olson, I am a licensed speech-language pathologist, and the licensing secretary for the State Board of Examiners on Audiology and Speech-Language Pathology. I am here today to testify on behalf of the board in favor of House Bill 1049.

Currently, in the state of North Dakota, speech-language pathology licensed assistants are required to have a bachelor's degree in communication sciences and disorders in order to be licensed. The changes proposed by HB 1049 reduce this barrier, allowing for those who have an associate's degree from a speech-language pathology assistant program to qualify for licensure. The changes also allow those who hold a bachelor's degree in another field, but have coursework specific to speech-language pathology as outlined in HB 1049, to be eligible for licensure. These changes reduce the barriers to becoming a speech-language pathology licensed assistant while maintaining the expected level of knowledge of the field.

HB 1049 also proposes the addition of a temporary license for professionals seeking licensure. This temporary license would expedite the licensure process for those seeking reciprocity or re-licensure. This again reduces barriers to allow professionals to begin work as soon as possible. As licensing secretary, I can attest that both of the above stated changes will increase the number of applicants eligible for licensure as well as decrease the length of the licensing process.

HB 1049 also includes adding "managing" to the scope of practice for audiology. This addition keeps the audiology scope of practice aligned with the changing terminology used by third parties to refer to a variety of audiological practices.

The need for speech-language pathologists, speech-language pathology assistants, and audiologists is high in our state, and only growing. The North Dakota State Board of Examiners on Audiology and Speech-Language Pathology is proud of the efficient work we do in this digital age, and are in favor of the amendments proposed by HB 1049 to continue to keep the board as efficient and effective as possible.

Thank you for your time,

Courtney Olson, M.S. CCC-SLP

Senator Mike Lee (R-Ut) and Rep. Andy Ogles (R-TN) introduced the BOWSER Act (a cruel jab at our mayor) to take away self-governance from the roughly 700,000 residents of DC. What this means is that we would no longer have a mayor, or city council to run our city. It would be run by members of the Congressional Oversight Committee whos members live in other states and really have no vested interest in DC other than to harass us because we are a majority of Democrats. Imagine your state being run by another state from across the country. DC has only had self-governance or home rule since the early 70s. As it is now, we have no vote in Congress...no say in the passing of national laws. Therefore, we have to rely on our friends in other states to reach out to their Senators and Representatives. While DC has problems like other big cities, DC has experienced a renaissance and marked increase in population over the last 25 years or so. Taking away self-governance would be cruel and unAmerican. Please find a few minutes to call your Senators and Representatives to say NO on this cruel Bill. Thank you on behalf of all Washingtonians.



25.8032.01001  
Title.02000

Adopted by the Human Services  
Committee

January 15, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO

### HOUSE BILL NO. 1049

Introduced by

Human Services Committee

(At the request of the Board of Examiners on Audiology and Speech-Language Pathology)

1 A BILL for an Act to amend and reenact subsection 2 of section 43-37-02 and ~~sections~~ sections  
2 43-37-04 and 43-37-13 of the North Dakota Century Code, relating to licensure requirements of  
3 a speech-language pathology licensed assistant, ~~and~~ temporary licensure, and investigation of  
4 an alleged violation.

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

6 **SECTION 1. AMENDMENT.** Subsection 2 of section 43-37-02 of the North Dakota Century  
7 Code is amended and reenacted as follows:

8 2. "Audiology" means the application of principles, methods, and procedures of  
9 measurement, testing, evaluation, prediction, consultation, counseling, instruction,  
10 habilitation, or rehabilitation related to hearing and disorders of hearing including  
11 vestibular testing, for the purpose of evaluating, identifying, managing, preventing,  
12 ameliorating, or modifying such disorders and conditions in individuals or groups of  
13 individuals.

14 **SECTION 2. AMENDMENT.** Section 43-37-04 of the North Dakota Century Code is  
15 amended and reenacted as follows:

16 **43-37-04. Eligibility for licensure.**

17 To be eligible for licensure by the board as an audiologist, speech-language pathologist, or  
18 speech-language pathology assistant, an applicant shall meet all the following requirements:

19 1. Be of good moral character.

2. Possess an appropriate degree from an educational institution recognized by the board.
  - a. An applicant for a speech-language pathologist license must possess at least a master's degree in speech-language pathology.
  - b. An applicant for an audiologist license must possess at least a doctorate degree in audiology.
  - c. An applicant for a speech-language pathology assistant license must possess at least ~~a one~~ one hundred hours of supervised clinical experience and:
    - (1) A bachelor's degree in speech-language pathology or communication disorders; or
    - (2) A two-year degree in speech-language pathology assistants program or a bachelor's degree in another field with coursework in the following areas:
      - (a) Introduction to communication disorders;
      - (b) Phonetics;
      - (c) Speech sound disorders;
      - (d) Language development;
      - (e) Language disorders; and
      - (f) Anatomy and physiology of speech and hearing mechanisms.
  - d. An applicant for a temporary license must show proof of active licensure within the past five years in the state or another jurisdiction. Limitations on temporary licensure length and qualifications to obtain full licensure must be prescribed by rules of the board.
3. Submit evidence showing qualifications prescribed by rules of the board.
4. Within one year of application an applicant for licensure as a speech-language pathologist, speech-language pathology assistant, or audiologist must pass any applicable examination prescribed by rules adopted by the board.
5. Pay the prescribed fee.

**SECTION 3. AMENDMENT. Section 43-37-13 of the North Dakota Century Code is amended and reenacted as follows:**

**43-37-13. Disciplinary actions.**

1. The board may refuse to issue or renew a license, suspend or revoke a license, or take other disciplinary action against a licensee if the licensee or applicant for license engaged in unprofessional conduct. Unprofessional conduct includes:
  - a. Obtaining a license by means of fraud, misrepresentation, or concealment of material facts.
  - b. Engaging in unprofessional conduct, as defined by the rules adopted by the board, or violating the code of ethics adopted by the board by rule.
  - c. Being convicted of an offense if the acts for which that individual is convicted are determined by the board to have a direct bearing on that applicant's or licensee's ability to serve the public in the capacity of a speech-language pathologist, speech-language pathology assistant, or audiologist; or the board determines that applicant or licensee, following conviction of any other offense, is not sufficiently rehabilitated under section 12.1-33-02.1.
  - d. Violating an order or rule adopted by the board.
  - e. Violating this chapter.
  - f. Receiving remuneration of any kind from the sale of any type of hearing aid, unless licensed under chapter 43-33.
2. To pursue investigation of an alleged violation of this chapter, the board may subpoena and examine witnesses and records, including client or patient records. The board may require a licensee to give statements under oath.
3. One year from the date of revocation of a license, the licensee may make application to the board for reinstatement. The board may accept or reject an application for reinstatement or may require an examination for reinstatement.

# 2025 SENATE STANDING COMMITTEE MINUTES

## Workforce Development Committee Fort Lincoln Room, State Capitol

HB 1049  
3/27/2025

Relating to licensure requirements of a speech-language pathology licensed assistant and temporary licensure.

10:44 a.m. Chairman Wobbema opened the hearing.

Members Present: Chairman Wobbema, Vice-Chairman Axtman, Senator Boschee, Senator Larson, Senator Powers.

### **Discussion Topics:**

- ND Department of Public Instruction

10:46 a.m. Matthew Menge, Assistant Attorney General, answered committee questions regarding language clarification of the bill.

10:51 a.m. Chairman Wobbema closed the hearing.

*Andrew Ficek, Committee Clerk*

# 2025 SENATE STANDING COMMITTEE MINUTES

## Workforce Development Committee Fort Lincoln Room, State Capitol

HB 1049  
3/27/2025

Relating to licensure requirements of a speech-language pathology licensed assistant and temporary licensure.

2:36 p.m. Chairman Wobbema opened the hearing.

Members Present: Chairman Wobbema, Vice-Chairman Axtman, Senator Boschee, Senator Larson, Senator Powers.

### Discussion Topics:

- Good Moral Character Language
- Certification of Participation
- Subpoena Power

2:36 p.m. Matt Menge, Assistant Attorney General, explained amendments, answered committee questions and submitted testimony #44334.

2:44 p.m. Senator Powers moved Amendment LC#25.8032.02001.

2:44 p.m. Senator Axtman seconded the motion.

Senators	Vote
Senator Mike Wobbema	Y
Senator Michelle Axtman	Y
Senator Josh Boschee	Y
Senator Diane Larson	Y
Senator Michelle Powers	Y

Passed 5-0-0

2:45 p.m. Senator Powers moved Do Pass as Amended.

2:48 p.m. Boschee seconded the motion.

Senators	Vote
Senator Mike Wobbema	Y
Senator Michelle Axtman	Y
Senator Josh Boschee	Y
Senator Diane Larson	Y
Senator Michelle Powers	Y

Motion passed 5-0-0.

Senate Workforce Development Committee  
HB 1049  
03/27/2025  
Page 2

Senator Boschee will carry the bill.

2:47 p.m. Chairman Wobbema adjourned the meeting.

*Andrew Ficek, Committee Clerk*



Sixty-ninth  
Legislative Assembly  
of North Dakota

**PROPOSED AMENDMENTS TO  
FIRST ENGROSSMENT**

VC 3/27/25  
1 of 3

**ENGROSSED HOUSE BILL NO. 1049**

Introduced by

Human Services Committee

(At the request of the Board of Examiners on Audiology and Speech-Language Pathology)

1 A BILL for an Act to amend and reenact subsection 2 of section 43-37-02 and ~~section~~sections  
2 43-37-04 and 43-37-13 of the North Dakota Century Code, relating to licensure requirements of  
3 a speech-language pathology licensed assistant ~~and~~ temporary licensure, and investigation of  
4 an alleged violation.

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

6 **SECTION 1. AMENDMENT.** Subsection 2 of section 43-37-02 of the North Dakota Century  
7 Code is amended and reenacted as follows:

- 8 2. "Audiology" means the application of principles, methods, and procedures of  
9 measurement, testing, evaluation, prediction, consultation, counseling, instruction,  
10 habilitation, or rehabilitation related to hearing and disorders of hearing including  
11 vestibular testing, for the purpose of evaluating, identifying, managing, preventing,  
12 ameliorating, or modifying such disorders and conditions in individuals or groups of  
13 individuals.

14 **SECTION 2. AMENDMENT.** Section 43-37-04 of the North Dakota Century Code is  
15 amended and reenacted as follows:

16 **43-37-04. Eligibility for licensure.**

17 To be eligible for licensure by the board as an audiologist, speech-language pathologist, or  
18 speech-language pathology assistant, an applicant shall meet all the following requirements:

- 19 1. ~~Be of good moral character.~~

- 1 — ~~2.~~ Possess an appropriate degree from an educational institution recognized by the  
2 board.
- 3 a. An applicant for a speech-language pathologist license must possess at least a  
4 master's degree in speech-language pathology.
- 5 b. An applicant for an audiologist license must possess at least a doctorate degree  
6 in audiology.
- 7 c. An applicant for a speech-language pathology assistant license must possess at  
8 least ~~one~~ hundred hours of supervised clinical experience and:
- 9 (1) A certificate of completion for speech-language pathology paraprofessionals  
10 issued by the superintendent of public instruction prior to August 1, 2026;
- 11 (2) A bachelor's degree in speech-language pathology or communication  
12 disorders; or
- 13 ~~(2)(3)~~ A two-year degree in speech-language pathology assistants program or a  
14 bachelor's degree in another field with coursework in the following areas:
- 15 (a) Introduction to communication disorders;
- 16 (b) Phonetics;
- 17 (c) Speech sound disorders;
- 18 (d) Language development;
- 19 (e) Language disorders; and
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- 21 d. An applicant for a temporary license must show proof of active licensure within  
22 the past five years in the state or another jurisdiction. Limitations on temporary  
23 licensure length and qualifications to obtain full licensure must be prescribed by  
24 rules of the board.
- 25 ~~3.2.~~ Submit evidence showing qualifications prescribed by rules of the board.
- 26 ~~4.3.~~ Within one year of application an applicant for licensure as a speech-language  
27 pathologist, speech-language pathology assistant, or audiologist must pass any  
28 applicable examination prescribed by rules adopted by the board.
- 29 ~~5.4.~~ Pay the prescribed fee.

30 **SECTION 3. AMENDMENT.** Section 43-37-13 of the North Dakota Century Code is  
31 amended and reenacted as follows:



**43-37-13. Disciplinary actions.**

1. The board may refuse to issue or renew a license, suspend or revoke a license, or take other disciplinary action against a licensee if the licensee or applicant for license engaged in unprofessional conduct. Unprofessional conduct includes:
  - a. Obtaining a license by means of fraud, misrepresentation, or concealment of material facts.
  - b. Engaging in unprofessional conduct, as defined by the rules adopted by the board, or violating the code of ethics adopted by the board by rule.
  - c. Being convicted of an offense if the acts for which that individual is convicted are determined by the board to have a direct bearing on that applicant's or licensee's ability to serve the public in the capacity of a speech-language pathologist, speech-language pathology assistant, or audiologist; or the board determines that applicant or licensee, following conviction of any other offense, is not sufficiently rehabilitated under section 12.1-33-02.1.
  - d. Violating an order or rule adopted by the board.
  - e. Violating this chapter.
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2. The board may subpoena and examine witnesses and records, including client or patient records, to pursue an investigation of an alleged violation of this chapter. The board may require a licensee to give statements under oath.
3. One year from the date of revocation of a license, the licensee may make application to the board for reinstatement. The board may accept or reject an application for reinstatement or may require an examination for reinstatement.

**REPORT OF STANDING COMMITTEE  
ENGROSSED HB 1049**

**Workforce Development Committee (Sen. Wobbema, Chairman)** recommends **AMENDMENTS** ([25.8032.02001](#)) and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). HB 1049 was placed on the Sixth order on the calendar. This bill affects workforce development.

25.8032.02001

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO

### ENGROSSED HOUSE BILL NO. 1049

Introduced by

Human Services Committee

(At the request of the Board of Examiners on Audiology and Speech-Language Pathology)

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2 43-37-04 and 43-37-13 of the North Dakota Century Code, relating to licensure requirements of a  
3 speech Language pathology licensed assistant ~~and~~, temporary licensure and investigation of an  
4 alleged violation.

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

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8 2. "Audiology" means the application of principles, methods, and procedures of  
9 measurement, testing, evaluation, prediction, consultation, counseling, instruction,  
10 habilitation, or rehabilitation related to hearing and disorders of hearing including  
11 vestibular testing, for the purpose of evaluating, identifying, managing, preventing,  
12 ameliorating, or modifying such disorders and conditions in individuals or groups of  
13 individuals.

14 **SECTION 2. AMENDMENT.** Section 43-37-04 of the North Dakota Century Code is  
15 amended and reenacted as follows:

16 **43-37-04. Eligibility for licensure.**

17 To be eligible for licensure by the board as an audiologist, speech-language pathologist, or  
18 speech-language pathology assistant, an applicant shall meet all the following requirements:

19 ~~1. Be of good moral character~~

20 ~~2~~ 1. Possess an appropriate degree from an educational institution recognized by the  
21 board.

22 a. An applicant for a speech-language pathologist license must possess at least a  
23 master's degree in speech-language pathology.



- 1           b. An applicant for an audiologist license must possess at least a doctorate degree  
2           in audiology.
- 3           c. An applicant for a speech-language pathology assistant license must possess at  
4           least ~~one~~ hundred hours of supervised clinical experience or fieldwork and:  
5           (1) A bachelor's degree in speech-language pathology or communication  
6           disorders; ~~or~~  
7           (2) A two-year degree in speech-language pathology assistants program or a  
8           bachelor's degree in another field with coursework in the following areas:  
9           (a) Introduction to communication disorders;  
10           (b) Phonetics;  
11           (c) Speech sound disorders;  
12           (d) Language development;  
13           (e) Language disorders;  
14           (f) Anatomy and physiology of speech and hearing mechanisms; or  
15           (3) A certificate of completion for speech-language pathology paraprofessionals  
16           issued by the superintendent of public instruction prior to August 1, 2026.  
17           d. An applicant for a temporary license must show proof of active licensure  
18           within the past five years in the state or another jurisdiction. Limitations on  
19           temporary licensure length and qualifications to obtain full licensure must be  
20           prescribed by rules of the board.
- 21       3 2. Submit evidence showing qualifications prescribed by rules of the board.
- 22       4 3. Within one year of application an applicant for licensure as a speech Language  
23       pathologist, speech-language pathology assistant, or audiologist must pass any applicable  
24       examination prescribed by rules adopted by the board.
- 25       5 4. Pay the prescribed fee.

26       **SECTION 3. AMENDMENT.** Section 43-37-13 of the North Dakota Century Code is  
27       amended and reenacted as follows:

28       **43-37-13. Disciplinary actions.**

- 29       1. The board may refuse to issue or renew a license, suspend or revoke a license, or take  
30       other disciplinary action against a licensee if the licensee or applicant for a license engaged  
31       in unprofessional conduct. Unprofessional conduct includes:

- 1 a. Obtaining a license by means of fraud, misrepresentation, or concealment of
- 2 material facts.
- 3 b. Engaging in unprofessional conduct, as defined by the rules adopted by the
- 4 board, or violating the code of ethics adopted by the board by rule.
- 5 c. Being convicted of an offense if the acts for which that individual is convicted are
- 6 determined by the board to have a direct bearing on that applicant's or licensee's
- 7 ability to serve the public in the capacity of a speech-language pathologist,
- 8 speech-language pathology assistant, or audiologist; or the board determines
- 9 that applicant or licensee, following conviction of any other offense, is not
- 10 sufficiently rehabilitated under section 12.1-33-02.1.
- 11 d. Violating an order or rule adopted by the board.
- 12 e. Violating this chapter.
- 13 f. Receiving remuneration of any kind from the sale of any type of hearing aid,
- 14 unless licensed under chapter 43-33.

14 2. To pursue investigation of an alleged violation of this chapter, the board may subpoena  
15 and examine witnesses and records, including client or patient records. The board may require a  
16 licensee to give statements under oath.

17 ~~2~~ 3. One year from the date of revocation of a license, the licensee may make application to the  
board for reinstatement. The board may accept or reject an application for reinstatement or may  
require an examination for reinstatement.

# 2025 SENATE STANDING COMMITTEE MINUTES

## Workforce Development Committee Fort Lincoln Room, State Capitol

HB 1049  
4/3/2025

Relating to provide a retroactive effective date; to provide an expiration date; and to declare an emergency.

10:00 a.m. Chairman Wobbema called the meeting to order.

Members Present: Chairman Wobbema, Vice-Chairman Axtman, Senator Boschee, Senator Larson, Senator Powers.

### Discussion Topics:

- Committee action

10:02 a.m. Senator Larson moved to reconsider.

10:02 a.m. Senator Axtman seconded the motion.

Voice vote - Motion passed.

10:03 a.m. Senator Boschee moved amendment LC#25.8032.02002.

10:03 a.m. Senator Axtman seconded the motion.

Senators	Vote
Senator Mike Wobbema	Y
Senator Michelle Axtman	Y
Senator Josh Boschee	Y
Senator Diane Larson	Y
Senator Michelle Powers	Y

Motion passed 5-0-0.

10:05 a.m. Senator Boschee moved do pass as amended.

10:05 a.m. Senator Axtman seconded the motion.

Senators	Vote
Senator Mike Wobbema	Y
Senator Michelle Axtman	Y
Senator Josh Boschee	Y
Senator Diane Larson	Y
Senator Michelle Powers	Y

Motion passed 5-0-0.

Senator Boschee will carry the bill.

10:05 a.m. Chairman Wobbema closed the hearing.

*Andrew Ficek, Committee Clerk*

April 3, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

**PROPOSED AMENDMENTS TO  
FIRST ENGROSSMENT**

VG 4/3/25  
10f3

**ENGROSSED HOUSE BILL NO. 1049**

Introduced by

Human Services Committee

(At the request of the Board of Examiners on Audiology and Speech-Language Pathology)

*In place of the amendments (25.8032.02001) proposed in the journal by the Senate, Engrossed House Bill No. 1049 is amended by amendment (25.8032.02002) as follows:*

1 A BILL for an Act to amend and reenact subsection 2 of section 43-37-02 and ~~section~~sections  
2 43-37-04 and 43-37-13 of the North Dakota Century Code, relating to licensure requirements of  
3 a speech-language pathology licensed assistant ~~and~~ temporary licensure, and investigation of  
4 an alleged violation.

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

6 **SECTION 1. AMENDMENT.** Subsection 2 of section 43-37-02 of the North Dakota Century  
7 Code is amended and reenacted as follows:

8 2. "Audiology" means the application of principles, methods, and procedures of  
9 measurement, testing, evaluation, prediction, consultation, counseling, instruction,  
10 habilitation, or rehabilitation related to hearing and disorders of hearing including  
11 vestibular testing, for the purpose of evaluating, identifying, managing, preventing,  
12 ameliorating, or modifying such disorders and conditions in individuals or groups of  
13 individuals.

14 **SECTION 2. AMENDMENT.** Section 43-37-04 of the North Dakota Century Code is  
15 amended and reenacted as follows:

16 **43-37-04. Eligibility for licensure.**

17 To be eligible for licensure by the board as an audiologist, speech-language pathologist, or  
18 speech-language pathology assistant, an applicant shall meet all the following requirements:

19 1. ~~Be of good moral character.~~



—2.— Possess an appropriate degree from an educational institution recognized by the board.

a. An applicant for a speech-language pathologist license must possess at least a master's degree in speech-language pathology.

b. An applicant for an audiologist license must possess at least a doctorate degree in audiology.

c. An applicant for a speech-language pathology assistant license must possess at least one hundred hours of supervised clinical experience or fieldwork and:

(1) A certificate of completion for speech-language pathology paraprofessionals issued by the superintendent of public instruction prior to August 1, 2026;

(2) A bachelor's degree in speech-language pathology or communication disorders; or

~~(2)~~(3) A two-year degree in speech-language pathology assistants program or a bachelor's degree in another field with coursework in the following areas:

(a) Introduction to communication disorders;

(b) Phonetics;

(c) Speech sound disorders;

(d) Language development;

(e) Language disorders; and

(f) Anatomy and physiology of speech and hearing mechanisms.

d. An applicant for a temporary license must show proof of active licensure within the past five years in the state or another jurisdiction. Limitations on temporary licensure length and qualifications to obtain full licensure must be prescribed by rules of the board.

~~3.2.~~ Submit evidence showing qualifications prescribed by rules of the board.

~~4.3.~~ Within one year of application an applicant for licensure as a speech-language pathologist, speech-language pathology assistant, or audiologist must pass any applicable examination prescribed by rules adopted by the board.

~~5.4.~~ Pay the prescribed fee.

**SECTION 3. AMENDMENT.** Section 43-37-13 of the North Dakota Century Code is amended and reenacted as follows:

**43-37-13. Disciplinary actions.**

1. The board may refuse to issue or renew a license, suspend or revoke a license, or take other disciplinary action against a licensee if the licensee or applicant for license engaged in unprofessional conduct. Unprofessional conduct includes:
  - a. Obtaining a license by means of fraud, misrepresentation, or concealment of material facts.
  - b. Engaging in unprofessional conduct, as defined by the rules adopted by the board, or violating the code of ethics adopted by the board by rule.
  - c. Being convicted of an offense if the acts for which that individual is convicted are determined by the board to have a direct bearing on that applicant's or licensee's ability to serve the public in the capacity of a speech-language pathologist, speech-language pathology assistant, or audiologist; or the board determines that applicant or licensee, following conviction of any other offense, is not sufficiently rehabilitated under section 12.1-33-02.1.
  - d. Violating an order or rule adopted by the board.
  - e. Violating this chapter.
  - f. Receiving remuneration of any kind from the sale of any type of hearing aid, unless licensed under chapter 43-33.
2. The board may subpoena and examine witnesses and records, including client or patient records, to pursue an investigation of an alleged violation of this chapter. The board may require a licensee to give statements under oath.
3. One year from the date of revocation of a license, the licensee may make application to the board for reinstatement. The board may accept or reject an application for reinstatement or may require an examination for reinstatement.

**REPORT OF STANDING COMMITTEE  
ENGROSSED HB 1049**

**Workforce Development Committee (Sen. Wobbema, Chairman)** recommends **AMENDMENTS** ([25.8032.02002](#)) and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). Engrossed HB 1049 was placed on the Sixth order on the calendar. This bill affects workforce development.

**2025 CONFERENCE COMMITTEE**

**HB 1049**



# 2025 HOUSE STANDING COMMITTEE MINUTES

## Human Services Committee Pioneer Room, State Capitol

HB 1049  
4/16/2025

### Conference Committee

Relating to licensure requirements of a speech-language pathology licensed assistant, temporary licensure, and investigation of an alleged violation.
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8:00 a.m. Chairman Fegley opened the meeting.

Members Present: Chairman Fegley, Representatives Hendrix, Frelich, Senators Axtman, Powers, Boschee

### Discussion Topics:

- Removal of moral character definition

8:01 a.m. Senator Axtman introduced the amendment, LC# 25.8032.04000, #45023.

8:03 a.m. Matt Menge, Assistant Attorney General, testified and submitted testimony, #45024.

8:20 a.m. Representative Frelich moved the LC#25.8032.04000 Amendment In Place Of the Senate Amendment.

8:21 a.m. Senator Axtman seconded the motion.

8:22 a.m. Motion passed 6-0-0.

Representative Frelich and Senator Boschee will carry the bill.

8:22 a.m. Chairman Fegley adjourned the meeting.

*Jackson Toman, Committee Clerk*

April 16, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

**PROPOSED AMENDMENTS TO  
FIRST ENGROSSMENT**

CO  
4/16/25  
1 of 3

**ENGROSSED HOUSE BILL NO. 1049**

Introduced by

Human Services Committee

(At the request of the Board of Examiners on Audiology and Speech-Language Pathology)

*In place of amendment (25.8032.02002) adopted by the Senate, Engrossed House Bill No. 1049 is amended by amendment (25.8032.02003) as follows:*

1 A BILL for an Act to amend and reenact subsection 2 of section 43-37-02 and ~~section~~sections  
2 43-37-04 and 43-37-13 of the North Dakota Century Code, relating to licensure requirements of  
3 a speech-language pathology licensed assistant ~~and~~ temporary licensure, and investigation of  
4 an alleged violation.

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

6 **SECTION 1. AMENDMENT.** Subsection 2 of section 43-37-02 of the North Dakota Century  
7 Code is amended and reenacted as follows:

8 2. "Audiology" means the application of principles, methods, and procedures of  
9 measurement, testing, evaluation, prediction, consultation, counseling, instruction,  
10 habilitation, or rehabilitation related to hearing and disorders of hearing including  
11 vestibular testing, for the purpose of evaluating, identifying, managing, preventing,  
12 ameliorating, or modifying such disorders and conditions in individuals or groups of  
13 individuals.

14 **SECTION 2. AMENDMENT.** Section 43-37-04 of the North Dakota Century Code is  
15 amended and reenacted as follows:

16 **43-37-04. Eligibility for licensure.**

17 To be eligible for licensure by the board as an audiologist, speech-language pathologist, or  
18 speech-language pathology assistant, an applicant shall meet all the following requirements:

19 1. ~~Be of good moral character.~~

2023

- 1 ~~2.~~ Possess an appropriate degree from an educational institution recognized by the  
2 board.
- 3 a. An applicant for a speech-language pathologist license must possess at least a  
4 master's degree in speech-language pathology.
- 5 b. An applicant for an audiologist license must possess at least a doctorate degree  
6 in audiology.
- 7 c. An applicant for a speech-language pathology assistant license must possess at  
8 least ~~a one~~ hundred hours of supervised clinical experience or fieldwork and:
- 9 (1) A certificate of completion for speech-language pathology paraprofessionals  
10 issued by the superintendent of public instruction prior to August 1, 2026;
- 11 (2) A bachelor's degree in speech-language pathology or communication  
12 disorders; or
- 13 ~~(2)(3)~~ A two-year degree in speech-language pathology assistants program or a  
14 bachelor's degree in another field with coursework in the following areas:
- 15 (a) Introduction to communication disorders;
- 16 (b) Phonetics;
- 17 (c) Speech sound disorders;
- 18 (d) Language development;
- 19 (e) Language disorders; and
- 20 (f) Anatomy and physiology of speech and hearing mechanisms.
- 21 d. An applicant for a temporary license must show proof of active licensure within  
22 the past five years in the state or another jurisdiction. Limitations on temporary  
23 licensure length and qualifications to obtain full licensure must be prescribed by  
24 rules of the board.
- 25 ~~3.2.~~ Submit evidence showing qualifications prescribed by rules of the board.
- 26 ~~4.3.~~ Within one year of application an applicant for licensure as a speech-language  
27 pathologist, speech-language pathology assistant, or audiologist must pass any  
28 applicable examination prescribed by rules adopted by the board.
- 29 ~~5.4.~~ Pay the prescribed fee.

30 **SECTION 3. AMENDMENT.** Section 43-37-13 of the North Dakota Century Code is  
31 amended and reenacted as follows:



**43-37-13. Disciplinary actions.**

1. The board may refuse to issue or renew a license, suspend or revoke a license, or take other disciplinary action against a licensee if the licensee or applicant for license engaged in unprofessional conduct. Unprofessional conduct includes:
  - a. Obtaining a license by means of fraud, misrepresentation, or concealment of material facts.
  - b. Engaging in unprofessional conduct, as defined by the rules adopted by the board, or violating the code of ethics adopted by the board by rule.
  - c. Being convicted of an offense if the acts for which that individual is convicted are determined by the board to have a direct bearing on that applicant's or licensee's ability to serve the public in the capacity of a speech-language pathologist, speech-language pathology assistant, or audiologist; or the board determines that applicant or licensee, following conviction of any other offense, is not sufficiently rehabilitated under section 12.1-33-02.1.
  - d. Violating an order or rule adopted by the board.
  - e. Violating this chapter.
  - f. Receiving remuneration of any kind from the sale of any type of hearing aid, unless licensed under chapter 43-33.
2. When conducting an investigation of an alleged violation of this chapter, the board may subpoena and examine records, including client or patient records, and may copy, photograph, or take samples of the records. The board may require a licensee to give statements under oath, submit to a physical or psychological examination, or both if the board reasonably believes an examination is in the best interests of the public. The client and patient records released to the board are not public records.
3. One year from the date of revocation of a license, the licensee may make application to the board for reinstatement. The board may accept or reject an application for reinstatement or may require an examination for reinstatement.



# HB 1049 041625 0821 AM Roll Call Vote

## Final Recommendation

**HB 1049**

**Date Submitted:** April 16, 2025, 8:21 a.m.

**Recommendation:** In Place Of

**Amendment LC #:** 25.8032.02003

**Engrossed LC #:** N/A

**Description:**

**Motioned By:** Frelich, Kathy

**Seconded By:** Axtman, Michelle

**House Carrier:** Frelich, Kathy

**Senate Carrier:** Boschee, Josh

**Emergency Clause:** None

**Vote Results:** 6 - 0 - 0

Rep. Fegley, Clayton	Yea
Rep. Hendrix, Jared	Yea
Rep. Frelich, Kathy	Yea
Sen. Axtman, Michelle	Yea
Sen. Powers, Michelle	Yea
Sen. Boschee, Josh	Yea

**REPORT OF CONFERENCE COMMITTEE  
ENGROSSED HB 1049**

Your conference committee (Sens. Axtman, Powers, Bosch and Reps. Fegley, Hendrix, Frelich) recommends that in place of amendment [25.8032.02002](#) adopted by the Senate, Engrossed HB 1049 is amended by amendment [25.8032.02003](#).

Engrossed HB 1049 was placed on the Seventh order of business on the calendar.

25.8032.04000

Sixty-ninth  
Legislative Assembly  
of North Dakota

**PROPOSED AMENDMENTS TO FIRST ENGROSSMENT  
with Senate Amendments**

**ENGROSSED HOUSE BILL NO. 1049**

Introduced by

Human Services Committee

(At the request of the Board of Examiners on Audiology and Speech-Language Pathology)

1 A BILL for an Act to amend and reenact subsection 2 of section 43-37-02 and sections 43-37-04  
2 and 43-37-13 of the North Dakota Century Code, relating to licensure requirements of a  
3 speech-language pathology licensed assistant, temporary licensure, and investigation of an  
4 alleged violation.

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

6 **SECTION 1. AMENDMENT.** Subsection 2 of section 43-37-02 of the North Dakota Century  
7 Code is amended and reenacted as follows:

8 2. "Audiology" means the application of principles, methods, and procedures of  
9 measurement, testing, evaluation, prediction, consultation, counseling, instruction,  
10 habilitation, or rehabilitation related to hearing and disorders of hearing including  
11 vestibular testing, for the purpose of evaluating, identifying, managing, preventing,  
12 ameliorating, or modifying such disorders and conditions in individuals or groups of  
13 individuals.

14 **SECTION 2. AMENDMENT.** Section 43-37-04 of the North Dakota Century Code is  
15 amended and reenacted as follows:

16 **43-37-04. Eligibility for licensure.**

17 To be eligible for licensure by the board as an audiologist, speech-language pathologist, or  
18 speech-language pathology assistant, an applicant shall meet all the following requirements:

19 1. ~~Be of good moral character.~~  
20 2. Possess an appropriate degree from an educational institution recognized by the  
21 board.

- 1           a.    An applicant for a speech-language pathologist license must possess at least a  
2                master's degree in speech-language pathology.
- 3           b.    An applicant for an audiologist license must possess at least a doctorate degree  
4                in audiology.
- 5           c.    An applicant for a speech-language pathology assistant license must possess at  
6                ~~least one~~ least one hundred hours of supervised clinical experience or fieldwork and:
- 7                (1) A certificate of completion for speech-language pathology paraprofessionals  
8                issued by the superintendent of public instruction prior to August 1, 2026;  
9                (2) A bachelor's degree in speech-language pathology or communication  
10              disorders; or  
11              (3) A two-year degree in speech-language pathology assistants program or a  
12              bachelor's degree in another field with coursework in the following areas:  
13              (a) Introduction to communication disorders;  
14              (b) Phonetics;  
15              (c) Speech sound disorders;  
16              (d) Language development;  
17              (e) Language disorders; and  
18              (f) Anatomy and physiology of speech and hearing mechanisms.
- 19           d.    An applicant for a temporary license must show proof of active licensure within  
20                the past five years in the state or another jurisdiction. Limitations on temporary  
21                licensure length and qualifications to obtain full licensure must be prescribed by  
22                rules of the board.
- 23       ~~3.2.~~   Submit evidence showing qualifications prescribed by rules of the board.
- 24       ~~4.3.~~   Within one year of application an applicant for licensure as a speech-language  
25                pathologist, speech-language pathology assistant, or audiologist must pass any  
26                applicable examination prescribed by rules adopted by the board.
- 27       ~~5.4.~~   Pay the prescribed fee.
- 28       **SECTION 3. AMENDMENT.** Section 43-37-13 of the North Dakota Century Code is  
29       amended and reenacted as follows:

**43-37-13. Disciplinary actions.**

1. The board may refuse to issue or renew a license, suspend or revoke a license, or take other disciplinary action against a licensee if the licensee or applicant for license engaged in unprofessional conduct. Unprofessional conduct includes:
  - a. Obtaining a license by means of fraud, misrepresentation, or concealment of material facts.
  - b. Engaging in unprofessional conduct, as defined by the rules adopted by the board, or violating the code of ethics adopted by the board by rule.
  - c. Being convicted of an offense if the acts for which that individual is convicted are determined by the board to have a direct bearing on that applicant's or licensee's ability to serve the public in the capacity of a speech-language pathologist, speech-language pathology assistant, or audiologist; or the board determines that applicant or licensee, following conviction of any other offense, is not sufficiently rehabilitated under section 12.1-33-02.1.
  - d. Violating an order or rule adopted by the board.
  - e. Violating this chapter.
  - f. Receiving remuneration of any kind from the sale of any type of hearing aid, unless licensed under chapter 43-33.
2. When conducting an investigation of an alleged violation of this chapter, the board may subpoena and examine witnesses and records, including client or patient records, and may copy, photograph, or take samples of the records to pursue an investigation of an alleged violation of this chapter. The board may require a licensee to give statements under oath, to submit to a physical or psychological examination, or both, if the board reasonably believes an examination is in the best interests of the public. The client and patient records released to the board are not public records.
3. One year from the date of revocation of a license, the licensee may make application to the board for reinstatement. The board may accept or reject an application for reinstatement or may require an examination for reinstatement.

## CHAPTER 11-02-03 GRIEVANCES

### Section

11-02-03-01	Grievance Procedures
11-02-03-02	Complaint Procedures

### **11-02-03-01. Grievance procedures.**

Grievances must be processed in accordance with North Dakota Century Code chapter 28-32.

**History:** Amended effective May 1, 1984.

**General Authority:** NDCC 43-37-06

**Law Implemented:** NDCC 28-32-05

### **11-02-03-02. Complaint procedures.**

1. Upon filing of a written and signed complaint alleging a licensee engaged in conduct identified as grounds for disciplinary action under North Dakota Century Code section 43-37-13, the board shall notify the licensee of the complaint and require a written response from the licensee.
2. A licensee who is the subject of an investigation by the board shall cooperate fully with the investigation. Cooperation includes responding fully and promptly to any reasonable question raised by or on behalf of the board relating to the subject of the investigation and providing copies of patient or client records if reasonably requested by the board and accompanied by the appropriate release.
3. The board may direct an ethics subcommittee or a board member to investigate the complaint. After completing the investigation, the ethics subcommittee or board member will recommend whether the board should take disciplinary action against the licensee.
4. When conducting an investigation, the board may subpoena and examine witnesses and records, including patient and client records, and may copy, photograph, or take samples of the records. The board may require the licensee to give statements under oath, to submit to a physical or psychological examination, or both, by a physician or other qualified evaluation professional selected by the board, if requiring an examination is in the best interest of the public. The patient and client records released to the board are not public records.
5. The board shall determine if there is a reasonable basis to believe the licensee engaged in conduct identified as grounds for disciplinary action under North Dakota Century Code section 43-37-13. If the board determines there is not a reasonable basis, the board will notify the complainant and the licensee. If the board determines there is a reasonable basis, the board may proceed with a disciplinary action in accordance with North Dakota Century Code chapter 28-32.
6. The board, at any time, may offer or accept a proposal for informal resolution of the complaint or disciplinary action.
7. The board may impose a fee on the licensee for all or part of the costs of an informal resolution or a formal action resulting in discipline, including administrative costs, investigation costs, attorney's fees, witness fees, the cost of the office of administrative hearings services, and court costs.

**History:** Effective June 1, 1990; amended effective April 1, 2016.

**General Authority:** NDCC 43-37-06

**Law Implemented:** NDCC 28-32-05