

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1043

Page 1, line 1, replace the first "section" with "sections 11-11-02 and"

Page 1, line 1, after the first comma insert "subsection 7 of section 12-60-26, section 15.1-20-04, subsection 2 of section 15.1-23-02,"

Page 1, line 2, after the first comma insert "subsection 1 of section 43-44-07, sections 43-44-08 and 43-44-09, subsection 4 of section 43-44-10, subsection 1 of section 43-44-15,"

Page 1, after line 6, insert:

**"SECTION 1. AMENDMENT.** Section 11-11-02 of the North Dakota Century Code is amended and reenacted as follows:

**11-11-02. Commissioner must be resident of district - Exceptions.**

Each county commissioner shall be chosen by the qualified electors of the district of which the commissioner is a resident, except as otherwise provided in section 11-07-03 or 11-07-06."

Page 2, after line 8, insert:

**"SECTION 3. AMENDMENT.** Subsection 7 of section 12-60-26 of the North Dakota Century Code is amended and reenacted as follows:

7. For purposes of this section:
  - a. "Flag the records" means marking the division of vital records, school, day care, or home education records in such a manner that any personnel viewing that record will be automatically alerted that the child or individual has been reported as lost, missing, or runaway.
  - b. "Home education" means a program of education supervised by a child's parent, ~~in the child's home,~~ in accordance with the requirements of chapter 15.1-23.
  - c. "Proof of identity" means a certified copy of a birth certificate, a certified transcript, or similar student records from the previous school, or any other documentary evidence the school, licensed day care facility, or school superintendent considers appropriate proof of identity.
  - d. "School" or "licensed day care facility" means all elementary and secondary schools, licensed day care centers, licensed child care facilities, headstart programs, and nursery schools whether public or nonpublic.

**SECTION 4. AMENDMENT.** Section 15.1-20-04 of the North Dakota Century Code is amended and reenacted as follows:

**15.1-20-04. Home education - Definition.**

For purposes of this chapter, "home education" means ~~an educational program for a child provided a program of education supervised by a child's parent in accordance with chapter 15.1-23 by the child's parent in the child's home.~~

**SECTION 5. AMENDMENT.** Subsection 2 of section 15.1-23-02 of the North Dakota Century Code is amended and reenacted as follows:

2. The statement must be accompanied by a copy of the child's immunization record and proof of the child's identity as required by section ~~54-23-2-04.212-60-26.~~

Page 3, after line 6, insert:

**"SECTION 8. AMENDMENT.** Subsection 1 of section 43-44-07 of the North Dakota Century Code is amended and reenacted as follows:

1. An applicant for licensure as a licensed nutritionist must file a written application with the board and:
  - a. Have satisfactorily completed academic requirements required by the board, and have received a baccalaureate degree in the field of dietetics or food and nutrition, as approved by the board, from an accredited college or university;
  - b. Have received a master's or doctorate degree in human nutrition, nutrition education, foods and nutrition, or public health nutrition from an accredited college or university, or have received a master's or doctorate degree in a related field that meets eligibility requirements of the commission on dietetic registration of the ~~American dietetic association~~academy of nutrition and dietetics or its predecessor or successor organization;
  - c. Maintain membership in one of the following organizations: American institute of nutrition, American society for clinical nutrition, or the American board of nutrition; or
  - d. Present evidence to the board regarding employment and competence as a nutritionist before July 1, 1985, and the inability to meet the criteria of subdivision a, b, or c.

**SECTION 9. AMENDMENT.** Section 43-44-08 of the North Dakota Century Code is amended and reenacted as follows:

**43-44-08. Requirements for licensure - Licensed registered dietitian.**

1. Applicants for licensure as a licensed registered dietitian must:
  - a. Comply with subsection 1 of section 43-44-07.
  - b. Have satisfactorily completed the education and experience requirements for dietitians approved by the commission on dietetic registration of the ~~American dietetic association~~academy of nutrition and dietetics or its predecessor or successor organization.

- c. Have satisfactorily completed the examination approved and administered by the commission on dietetic registration of the American dietetic association academy of nutrition and dietetics or its predecessor or successor organization.
2. Applicants for renewal of licensure as a licensed registered dietitian must:
- a. Comply with subsection 1.
  - b. Have satisfactorily completed continuing education requirements specified by the commission on dietetic registration of the American dietetic association academy of nutrition and dietetics or its predecessor or successor organization.

**SECTION 10. AMENDMENT.** Section 43-44-09 of the North Dakota Century Code is amended and reenacted as follows:

**43-44-09. Waiver of requirements for licensure of dietitians.**

Upon application, the board shall grant a license to any person certified prior to July 1, 1985, as a registered dietitian by the commission on dietetic registration of the American dietetic association academy of nutrition and dietetics or its predecessor or successor organization. Upon application of any person certified by the commission on dietetic registration of the American dietetic association academy of nutrition and dietetics or its predecessor or successor organization after July 1, 1985, the board may waive the examination, education, and experience requirements and grant the applicant a license if the board determines that the requirements for certification are equivalent to the related requirements for licensure in this chapter.

**SECTION 11. AMENDMENT.** Subsection 4 of section 43-44-10 of the North Dakota Century Code is amended and reenacted as follows:

- 4. Any person who does not meet the requirements of subdivision a, b, or c of subsection 1 of section 43-44-07, and who provides nutrition care services, including weight control programs, under the supervision of a licensed registered dietitian, a dietitian licensed in another state that has licensure requirements considered by the board to be at least as stringent as the requirements for licensure under this chapter, or a dietitian registered by the commission on dietetic registration of the American dietetic association academy of nutrition and dietetics or its predecessor or successor organization.

**SECTION 12. AMENDMENT.** Subsection 1 of section 43-44-15 of the North Dakota Century Code is amended and reenacted as follows:

- 1. The board may deny a license, refuse to renew a license, suspend a license, or revoke a license, or may impose probationary conditions on a licensee if the licensee or applicant has been found guilty of unprofessional conduct which has endangered or is likely to endanger the health, welfare, or safety of the public. Unprofessional conduct includes:
  - a. Obtaining a license by means of fraud, misrepresentation, or concealment of material facts.
  - b. Being guilty of unprofessional conduct as defined by rules adopted by the board, or violating any code of ethics adopted by the American-

dietetic association academy of nutrition and dietetics or its predecessor or successor organization.

- c. Being convicted of an offense, as defined by section 12.1-01-04, that the board determines has a direct bearing upon a person's ability to serve the public as a licensed registered dietitian or a licensed nutritionist or, following conviction of any offense, if the board determines that the person is not sufficiently rehabilitated under section 12.1-33-02.1.
- d. Violating any lawful order or rule of the board.
- e. Violating this chapter."

Renumber accordingly