

**FIRST ENGROSSMENT
with Senate Amendments
ENGROSSED HOUSE BILL NO. 1279**

Introduced by

Representatives Beadle, Buffalo

Senator J. Roers

1 A BILL for an Act to amend and reenact sections 43-06-03 and 43-06-04 of the North Dakota
2 Century Code, relating to membership of the board of chiropractic examiners; and to provide for
3 application.

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

5 **SECTION 1. AMENDMENT.** Section 43-06-03 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **43-06-03. State board of chiropractic examiners - Members - Appointment -**
8 **Qualifications.**

9 1. The state board of chiropractic examiners shall consist of five consists of seven
10 members appointed by the governor. The members are:

11 a. Five doctors of chiropractic;

12 b. One certified chiropractic clinical assistant; and

13 c. One consumer member.

14 2. Each ~~person~~ doctor of chiropractic appointed must:

15 1. a. Have a license to practice chiropractic in North Dakota.

16 2. b. Have been a resident of this state and have practiced chiropractic in this state for
17 at least five consecutive years immediately before appointment to the board.

18 3. c. Remain a resident of this state and continue in active practice in this state during
19 the term of office.

20 d. Be a licensee in good standing and must not be the subject of a pending
21 investigation by the board for violations under this chapter.

22 3. Each certified chiropractic clinical assistant appointed must:

23 a. Be certified as a chiropractic clinical assistant and meet the requirements of
24 section 43-06-16.1.

- 1 b. Be actively engaged in the practice of a certified chiropractic clinical assistant in
2 the state for at least one year immediately preceding appointment to the board.
- 3 4. Each consumer member appointed:
- 4 a. Must be a resident of the state for at least five years immediately preceding
5 appointment to the board.
- 6 b. May not have personal or familial financial relationships to the chiropractic
7 profession.
- 8 c. May not be, and may not be a spouse of, a doctor of chiropractic, certified
9 chiropractic clinical assistant, or licensed health care professional.
- 10 5. An individual appointed to the board as a certified chiropractic clinical assistant may
11 not participate in any activities related to the clinical examination of chiropractic
12 licensure applicants.
- 13 6. An individual appointed to the board as a consumer may not participate in any
14 activities related to the clinical examination of chiropractic or certified chiropractic
15 clinical assistant licensure applicants.

16 **SECTION 2. AMENDMENT.** Section 43-06-04 of the North Dakota Century Code is
17 amended and reenacted as follows:

18 **43-06-04. Board of chiropractic examiners - Members - Term of office.**

- 19 1. Each member of the board shall qualify by taking the oath of office required of civil
20 officers and shall hold office for a term of five years and until the member's successor
21 is appointed and qualified. The terms of office of the members of the board must be so
22 arranged that ~~one term and~~ only one term expires on the thirty-first day of August of
23 eachany year except:
- 24 a. Every fifth year, the governor shall appoint a doctor of chiropractic and a certified
25 chiropractic clinical assistant to the board.
- 26 b. Two years after the appointments in subdivision a, the governor shall appoint a
27 doctor of chiropractic and a consumer member to the board.
- 28 2. A member may not serve for more than two consecutive five-year terms.
- 29 3. If a member of the board is absent from two consecutive regular meetings, the board
30 may declare a vacancy. Vacancies on the board must be filled by appointment by the
31 governor. ~~When a vacancy occurs on the board by expiration of the term, death, or~~

1 ~~resignation of a member, or removal for other cause, the North Dakota chiropractic~~
2 ~~association shall nominate, by procedure adopted in the bylaws of said association, to~~
3 ~~the governor three qualified persons for each vacancy. The governor shall appoint a~~
4 ~~member to fill the vacancy on the board from the three nominees.~~

5 **SECTION 3. APPLICATION.** This Act applies to appointments made to the board of
6 chiropractic examiners after July 31, 2019.