



NORTH DAKOTA STATE BOARD OF MEDICAL EXAMINERS

Duane Houdek
Executive Secretary and Treasurer

Lynette McDonald
Deputy Executive Secretary

Established 1890

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July 16, 2009

Mr. John Walstad
Code Revisor
North Dakota Legislative Council
State Capitol
600 East Boulevard, 2nd Floor
Bismarck, ND 58505-0360

JUL 17 2009

Dr. Mr. Walstad:

The Notice of Intent to Adopt, Amend, and Repeal Administrative Rules and a copy of the proposed rules are enclosed as required by N.D.C.C. § 28-32-10(1).

Sincerely,

A handwritten signature in blue ink, appearing to read "Duane Houdek".

Duane Houdek
Executive Secretary

Enclosures

Mission Statement

The Board's mission is to protect the public's health, safety and welfare by regulating the practice of medicine, thereby ensuring quality health care for the citizens of this state.

**NOTICE OF INTENT TO ADOPT, AMEND AND REPEAL
ADMINISTRATIVE RULES**

PLEASE TAKE NOTICE that the North Dakota State Board of Medical Examiners will hold a public hearing to address the proposed repeal of certain rules, the enactment of new rules and the amendment of existing rules, all as explained below, at 9:00 o'clock, a.m., August 24, 2009, at the offices of the North Dakota State Board of Medical Examiners, 418 East Broadway, Suite 12, Bismarck, North Dakota.

The purpose of the proposed repeal of Section 50-03-01-09, NDAC, and the enactment of a new section, 50-03-01-09.1, NDAC, is to remove the numerical limit of physician assistants who may be supervised by a primary supervising physician, and give the supervising physician discretion in the number of physician assistants supervised, subject to conditions and board approval.

The purpose of the proposed repeal of Section 50-03-01-07, NDAC, and the enactment of a new section, 50-03-01-07.1, NDAC, is to correct an error in the former rule, describing the medications that may be dispensed, and to further delineate conditions in which physician assistants may dispense medications they are authorized to prescribe.

The purpose of the repeal of Chapter 50-02-07, NDAC, and the enactment of a new chapter, 50-02-07.1, NDAC, relating to physician license fees is to implement state law relating to late fees and to provide administrative sanctions for any license applicant who provides false or deceptive information to the board, after verifying that the information is true.

The purpose of the enactment of 50-02-14, NDAC, relating to renewal of license, is to give physicians a "grace period" of 31 days in which to renew their annual licenses.

The purpose of the amendment to section 50-03-04-09, NDAC, is to allow the supervision of fluoroscopy technologists to occur by means of tele-video technology that permits a supervising radiologist to view a procedure from a distance, as long as a supervising physician is available onsite.

The proposed rules are not expected to have an impact on the regulated community in excess of \$50,000.00.

The proposed rules may be reviewed at the office of the North Dakota State Board of Medical Examiners, 418 East Broadway, Suite 12, Bismarck, North Dakota. A copy of the proposed rules and/or a regulatory analysis may be requested by writing the above address or calling 701.328.6500. Written or oral comments on the proposed rules sent to the above address or telephone number and received by September 3, 2009, will be fully considered.

If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the Board of Medical Examiners at the above telephone number or address at least 10 days prior to the public hearing.

Dated this 15th day of July, 2009.



Duane Houdek
Executive Secretary
ND State Board of Medical Examiners