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North Dakota Nurse Practitioner Association

[www.ndnpa.org](http://ndnpa.org/)

Legislation Tracking Team

Cheryl Rising: crisingnp@gmail.com 701-527-2583

Jenna Herman: jmherman@umary.edu 612-518-3647

Tara Brandner: tbrandner04@gmail.com 701-471-9745

**April 28, 2017**

**Please see the following bills that the North Dakota Nurse Practitioner Association (NDNPA) supports:**

**Completed Bills**

**SENATE BILL NO. 2312 – Emergency medical technicians and paramedics**

* A BILL for an Act to amend and reenact subsection 5 of section 23-27-02 and section 23-27-04.4 of the North Dakota Century Code, relating to emergency medical services professionals. We will monitor this bill. No further vote at this time. Came out of committee do pass 7/0. Passed Senate 44/0. Was heard in the House Human Services 3/1/2017 at 2:15 pm. Reported back do pass, 14/0. Passed the House on March 7th 89/2, March 10th sent to the Governor. Signed on March 14th.

**SENATE BILL NO. 2320- Syringe exchange program**

* A BILL for an Act to create and enact a new subsection to section 19-03.4-02 and a new section to chapter 23-01 of the North Dakota Century Code, relating to drug paraphernalia guidelines and a syringe exchange program; and to declare an emergency. NDNPA did testify February 7th to change language to advanced practice registered nurse. Out of committee do pass 7-0 passed Senate 41-3. Will be heard in House Human Services March 14th at 9:00 am, NDNPA did testify. Came out of committee do pass, 13/ 0/1. Did pass the House 58/35. On 3/20/2017 returned to the Senate, on 3/22/2017 sent to the Governor. Signed by the Governor March 24th.

**HOUSE BILL NO. 1086 -Workforce Safety, filing of false claim**

* A BILL for an Act to amend and reenact subsection 5 of section 65-05-08.1, subsection 1 of section 65-05-09.1, section 65-05-28, subsection 2 of section 65-05-33, and section 65-05.1-06.3 of the North Dakota Century Code, relating to notice to treating doctor, social security offset, criminal offense for filing of false claim, and vocational rehabilitation pilot program reports; to provide a penalty; and to provide for application. NDNPA testifying to have doctor changed throughout bill to health care provider, or insert APRN. Testified on 1/16/2017. Recommended changes were not approved, will continue to work on this bill. Cheryl did meet with Representative Keiser and WSI, she will testify again when bill reaches the Senate Industry, Business, and Labor. She has been assured by WSI that they will accept the changes. Passed House 90/4. February 17th Cheryl spoke with a representative from WSI and Advanced Practice Register Nurse (APRN) was added. Was heard in the Senate Industry, business and Labor and do pass 7-0. 2/22/2017 passed Senate 46-0. Addition of APRN was not in the bill due to the fact that APRN is added to doctor definition in bill 1156 and will cover this bill. Then in the next legislature all the language will be updated. There will be no concern with any interruption of any care to WSI patients by APRN’s. Sent to the Governor on March 1st. Signed by the Governor March 2nd.

**HOUSE BILL NO. 1095 - Guardianship and conservatorship proceedings**

* A BILL for an Act to amend and reenact section 30.1-01-06, subsections 2, 4, and 6 of section 30.1-28-03, subsection 3 of section 30.1-28-04, and sections 30.1-29-01, 30.1-29-04, 30.1-29-05, 30.1-29-07, 30.1-29-08, and 30.1-29-19 of the North Dakota Century Code, relating to guardianship and conservatorship proceedings. Passed House 90/0. Was heard in Senate Judiciary February 14th at 9:00am. NDNPA did testify. Expert examiner language was added and advanced practice register nurse (APRN) was included. Out of committee Senate Judiciary do pass 6-0. Passes house 90-0. Went to the Governor March 1st. Signed by the Governor March 2nd.

**BILL NO. 1156 - Workers’ compensation and benefits for medical marijuana**

* A BILL for an Act to amend and reenact section 65-01-02, subsection 8 of section 65-05-07, and section 65-05-08 of the North Dakota Century Code, relating to the definition of medical marijuana and prohibiting the payment of workers' compensation benefits for medical marijuana; and to provide for application. We testified to have APRN inserted into bill, and registered nurse and strike qualified nurse, testified 1/16/2017, adopted our changes. Passed House 81/9. Waiting for this bill to be heard in the House Industry, Business and Labor. APRN is added in to the definition of doctor on the amendments that will go forward. Was heard in Senate Industry, Business, and Labor March 6th at 10:00 am, NDNPA did testify. Out of committee, do pass 6/0/1. Passed Senate March 9th 39/8, referred back to the House March 10th. On April 4th the House concurred and passed 83/9. Sent to the Governor and signed on April 7th.

**HOUSE BILL NO. 1323- Child restraint**

* A BILL for an Act to amend and reenact section 39-21-41.2 and 39-21-41.4 of the North Dakota Century Code, relating to child restraint devices and use of safety belts for children. NDNPA testified on January 26th. Did come out of committee do pass 10/1. Accepted advanced practice register nurse (APRN), did pass House 62/25. Was heard March 10th at 9:00am by the Senate Transportation Committee, NDNPA did testify. Passed Senate 30/16. Returned to the House. The House did concur, passed 64/25. On April 5th signed by the Governor.

**SENATE BILL NO. 2151- Health care directives**

* A BILL for an Act to amend and reenact section 23-06.5-17 of the North Dakota Century Code, relating to health care directives. NDNPA did testify on January 23 to change terminology from doctor to health care provider. They did accept our language. Passed Senate 46/0. Will be heard in House Human Services March 15th at 10:30 am, NDNPA did testify. On March 22nd reported back amended do pass 14/0. Passed Senate, 46/0. Signed by the Governor April 4th.

**HOUSE BILL NO. 1365- Guardian bill**

* A BILL for an Act to amend and reenact subsection 4 of section 30.1-28-12 of the North Dakota Century Code, relating to powers and duties of a guardian regarding medical decisions. NDNPA did testify January 31st to add Advanced Practice Registered Nurse. Our amendment has been added. Did come out of committee do pass. Passed House 87/4. Will be heard in Senate Human Services Committee March 15th at 9:00 am, NDNPA did testify. On March 23rd the amendment passed, March 24th returned to the House. March 31st House did no concur, conference committee appointed. April 7th reported back from conference committee, placed on the House calendar. Passed House 92/0. Sent to Governor April 14th

**HOUSE BILL NO. 1096- Licensure compact**

* A BILL for an Act to create and enact a new chapter to title 43 of the North Dakota Century Code, relating to the advanced practice registered nurse licensure compact. This would allow North Dakota to recruit other APRN’s into the state without having to obtain a second license. It would improve flexibility of APRN’s practice near border communities. Passed House 89/0/5. Was heard in Senate Human Services February 15th at 10:00am. NDNPA did testify. Passed Senate 47/0. Returned to the House March 3rd. April 7th the House concurred, passed 87/0. Sent to the Governor April 13th.

**SENATE BILL NO. 2344- Medical Marijuana**

* A BILL for an Act to create and enact sections 19‑24‑14, 19‑24‑15, 19‑24‑16, 19‑24‑17, 19‑24‑18, 19‑24‑19, 19‑24‑20, 19‑24‑21, 19‑24‑22, 19‑24‑23, 19‑24‑24, 19‑24‑25, 19‑24‑26, 19‑24‑27, 19‑24‑28, 19‑24‑29, 19‑24‑30, 19‑24‑31, 19‑24‑32, 19‑24‑33, 19‑24‑34, 19‑24‑35, 19‑24‑36, 19‑24‑37, 19‑24‑38, 19‑24‑39, 19‑24‑40, and 19‑24‑41 of the North Dakota Century Code, relating to implementation of the North Dakota Compassionate Care Act to authorize medical marijuana; to amend and reenact sections 19‑24‑01, 19‑24‑02, 19‑24‑03, 19‑24‑04, 19‑24‑05, 19‑24‑06, 19‑24‑07, 19‑24‑08, 19‑24‑09, 19‑24‑10, 19‑24‑11, 19‑24‑12, and 19‑24‑13 of the North Dakota Century Code, relating to implementation of the North Dakota Compassionate Care Act to authorize medical marijuana; to provide a report to the legislative management; to provide a penalty; to provide a continuing appropriation; and to declare an emergency. On March 31st House Human Services committee meeting, NDNPA did testify. Page 6, section 2, advance practice registered nurses was added. April 4th reported back amended, passed the House 79/13. Returned to the Senate, passed 38/9. Sent to the Governor April 14.

**SENATE BILL NO.2042- Public intoxication and tier of health care professionals**

* A bill relating to mental health professionals. It is a Priority for Advanced Practice Registered Nurses (APRN) to increase behavioral health nursing workforce capacity and removing barriers to practice. This bill establishes a tiered system for the roles of mental health professionals which includes APRNs. NDNPA testified January 11th and approves the tiered system. Did pass Senate 45/0. Was heard in House Human Service February 13th at 3:15pm. NDNPA did testify. Do pass out of committee 12/1/1. On March 31st passed in the House, 86/4. Returned to the Senate, they refused to concurred, went to conference committee April 7th. On April 19th passed Senate 43/0. On April 20th passed House 88/3. Signed by the Governor April 25th.

[**SENATE BILL NO. 2052**](http://www.legis.nd.gov/assembly/65-2017/documents/17-0120-01000.pdf)**- Telehealth**

* A BILL for an Act to create and enact section 26.1-36-09.15 of the North Dakota Century Code, relating to individual and group health insurance coverage of telehealth services; and to amend and reenact section 54-52.1-04.13 of the North Dakota Century Code, relating to public employees retirement system uniform group insurance coverage of telehealth services. We support this telehealth bill as it includes Advanced Practice Registered Nurses (APRN). NDNPA did testify in support. Passed Senate 46/0. Heard March 7th at 9:00am in the House Human Services, NDNPA did testify. Out of committee, do pass 14/0. Passed the House 88/4, returned to the Senate. March 30th conference committee appointed. The Senate and House adopted conference committee report. Passed House 85/5. Governor signed on April 18th .

**SENATE BILL NO. 2216 - Work place violence**

* A BILL for an Act to amend and reenact sections 12.1-17-01, 12.1-17-01.1, and subsection 1 of section 12.1-17-11 of the North Dakota Century Code, relating to assault on a health care facility provider and contact by bodily fluids or excrement; and to provide a penalty. Did letter of support and sent to NDNA 1/15/2016 Came out of committee as a do pass. Was amended, passed Senate 44-2. Was heard by House Judiciary March 8th at 9:00am. Do pass out of committee, 14/1/0. Passed the House 89/3. On March 20th returned to the Senate. March 31st refused to concur, conference committee established. April 6th reported back by conference committee, House receded. April 7th conference committee report adopted. Back to conference committee. April 17th passed Senate 46/0. April 18th passed House 76/16. Signed by Governor April 19th.

**Bills Failed**

**HOUSE BILL** **NO. 2164- Guardianship Bill**

* A bill relating to the participation of Advanced Practice Registered Nurses (APRN) in guardian and conservator preceding. We will support this bill as it will allow APRN’s to exam an individual and submit a written report to the court. History and physical examinations are already part of our scope of practice. Testified on 1/17/2017. Killed due to being rolled into 1095.

**HOUSE BILL NO. 1256 - Dental Therapist**

* A BILL for an Act to create and enact five new sections to chapter 43-20 of the North Dakota Century Code, relating to regulation of dental therapists; to amend and reenact sections 43-20-01.1, 43-20-01.3, 43-20-01.4, 43-20-02.1, 43-20-05, 43-20-06, 43-20-08, 43-20-10, 43-20-11, 43-20-12.2, 43-28-03, 43-28-04, and 43-28-06 and subsection 9 of section 43-28-18 of the North Dakota Century Code, relating to the regulation of dental therapists; to provide for reports; and to provide for application. We did testimony to support. Did testify 1/18/2017. Came out of committee, do pass 8/6. NDNPA did send a letter to all House of Representatives urging a do pass. Failed to pass 32/59.

**HOUSE BILL NO. 1312- Tobacco**

* A BILL for an Act to amend and reenact sections 12.1-31-03, 12.1-31-03.1, and 51-32-01 of the North Dakota Century Code, relating to the prohibition of an individual under nineteen years of age from purchasing and using tobacco products; and to provide a penalty. NDNPA testified on January 23 in support. We encourage all nurse practitioners to contact their representatives to urge a do pass. Came out of committee as do not pass 7/5/2. Failed to pass 22/68.

**SENATE BILL NO. 2184- Phlebotomist**

* A BILL for an Act to create and enact a new section to chapter 23-01 and a new section to chapter 23-16 of the North Dakota Century Code, relating to phlebotomists and notification protocol in the case of exposure to an infectious organism; to amend and reenact sections 23- 09.3-04 and 23-17.3-05 of the North Dakota Century Code, relating to notification protocol in the case of exposure to an infectious organism; and to provide an effective date. NDNPA did testify on January 23. We encourage everyone to contact their legislators to vote yes on this only if clinics and hospitals that already have education in place are exempt. Bill failed Senate 2/44.

**SENATE BILL N0. 4010- Palliative care**

* A concurrent resolution requesting the Legislative Management to consider studying the status and importance of coordinated palliative care to develop solutions, tools, and best practices for providing better patient-centered care and information to North Dakotans with chronic diseases. NDNPA did testify on March 1st. Came out of committee as do not pass 7/0. Failed to be adopted. North Dakota Center for Nursing will develop a committee on palliative care per Senator Lee’s request.

**SENATE BILL NO. 2256- Naturopathic medicine**

* A BILL for an Act to create and enact section 43-58-11 of the North Dakota Century Code, relating to the regulation of naturopaths; and to amend and reenact sections 43-58-01 and 43-58-08 of the North Dakota Century Code, relating to the regulation of naturopaths. Had meeting with them January 25th and asked them to remove from testimony their comparison to advanced practice nurse. We will remain neutral on this and not testify. This was changed to a study and passed Senate 36/10. Was heard March 14th in House Human Services at 2:30 pm. Did come out of committee do pass, 12/1/1. On March 20th failed 8/83.

**SENATE BILL NO. 2034- Nursing faculty student loan repayment**

* Providing for a nursing faculty student loan repayment program; and to amend and reenact sections 43-12.3-03 and 43-12.3-06 of the North Dakota Century Code, relating to the health care professional student loan repayment program. With approval of this program we would be able to recruit and retain more facility. This would increase classroom sizes which would add to our health care work force. Did pass Senate 38/8. NDNPA did testify in the House Human Services committee March 14th at 9:30am. Came out of committee do not pass 10/3, decreased the money to $2000. On March 27th failed to pass 12/80.

**SENATE BILL NO. 2291- Medication treatment order and powers and duties of guardian**

* A BILL for an Act to amend and reenact section 25-03.1-16 and subsection 4 of section 30.1-28-12 of the North Dakota Century Code, relating to medication pending treatment order, and powers and duties of a guardian regarding medical decisions. NDNPA did testify February 7th to add Advanced Registered Practice Nurse to page 2. Do pass out of committee7-0 and passed Senate 45-0. Will be heard in House Human Services March 14th at 10:30 am, NDNPA did testify. Failed to pass 0/ 92. Rolled into 1365.

**HOUSE BILL NO. 1201- Carbon Monoxide**

* A bill to recommend carbon monoxide monitoring devices relating to landlord obligations and buildings code. Did letter of support. Was heard by Industry, Business, and Labor February 7th at 9:00am. Was amended out of committee a do pass 12/2/0. Passed House 55-37. Was heard on March 8th in Senate Industry, Business, and Labor committee. Out of committee do pass, 7/0. Amendments adopted on March 20th, back to the Industry, Business, and Labor on March 21st. Came out of committee do pass, 7/0. On April 4th the House refused to concurred, on April 5th sent to conference committee. Tara Brandner reported NDNPA concerns with not passing this bill to House and Senate chairs. April 13th reported back from conference committee, placed on the House calendar. Passed House April 19th, 64/29. Passed Senate April 19th, 24/19. April 26th vetoed by the Governor.

MEICAID EXPANSION

We are a supporting agency.