

ARTICLE 96-01

GENERAL ADMINISTRATION

Chapter
96-01-01 Organization of Board

**CHAPTER 96-01-01
ORGANIZATION OF BOARD**

Section
96-01-01-01 Organization of the Board of Clinical Laboratory Practice

96-01-01-01. Organization of the board of clinical laboratory practice.

1. **History and function.** The 1989 legislative assembly passed legislation to license clinical laboratory personnel, codified as North Dakota Century Code chapter 43-48.

This chapter requires the governor to appoint a state board of clinical laboratory practice. It is the responsibility of this board to license laboratory personnel.

2. **Officers.** Officers must be elected by the board. Officers will consist of a chair, secretary, and treasurer.
3. **Compensation.** In addition to the expenses incurred while engaged in the performance of their duties, each board member shall receive a per diem fee set by the board, not to exceed the fee established by law for the legislative assembly.
4. **Staff.** The board is authorized to employ an executive director and such other professional and secretarial staff as may be necessary.
5. **Inquiries.** Inquiries regarding the board may be addressed to:

Board of Clinical Laboratory Practice
P.O. Box 4103
Bismarck, ND 58502-4103

History: Effective June 1, 1991; amended effective April 1, 1994; May 1, 2002.

General Authority: NDCC 28-32-02.1, 43-48-04

Law Implemented: NDCC 28-32-02

ARTICLE 96-02

CLINICAL LABORATORY PERSONNEL LICENSURE

Chapter	
96-02-01	Definitions [Repealed]
96-02-02	Licensure
96-02-03	Fees
96-02-04	Continuing Education
96-02-05	Name and Address Changes
96-02-06	Violations [Repealed]
96-02-07	Grievances [Repealed]
96-02-08	Board Action [Repealed]
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**CHAPTER 96-02-01
DEFINITIONS**

[Repealed effective May 1, 2002]

**CHAPTER 96-02-02
LICENSURE**

Section	
96-02-02-01	General License Requirements
96-02-02-02	Requirements for Specific Licenses
96-02-02-03	Reciprocity
96-02-02-04	License Renewal - Licenses Are Renewable Biennially
96-02-02-05	Registration Refused, Revoked, or Suspended [Repealed]
96-02-02-06	Inactive Status [Repealed]

96-02-02-01. General license requirements. The following requirements apply to all applicants seeking licensure by the board:

1. A completed application form.
2. Payment of the appropriate application fee as set by the board.
3. Evidence of the required education and that the applicant has passed a national certifying examination approved by the board.
4. All applications must be signed and notarized.

History: Effective June 1, 1991; amended effective May 1, 2002.

General Authority: NDCC 43-48-04

Law Implemented: NDCC 43-48-04, 43-48-06, 43-48-07, 43-48-08, 43-48-09, 43-48-13

96-02-02-02. Requirements for specific licenses.

1. Medical technologist (clinical laboratory scientist) must have a bachelor of science or a bachelor of arts degree in a science-related discipline and have passed a national certifying examination approved by the board.
2. A clinical laboratory specialist must have a baccalaureate or higher degree with a major in one of the chemical, physical, or biological sciences and may only perform functions directly related to the person's particular specialty.

A clinical laboratory specialist must pass a national certifying examination approved by the board in a specialty area. A license issued to a clinical laboratory specialist will designate the area of specialty.

3. A clinical laboratory technician must successfully complete the academic requirements of a structured clinical educational program recognized

by the board and must pass a national certifying examination approved by the board.

4. The board may issue a provisional permit to a person who has applied for licensure and is eligible to take a board-recognized national certifying examination.

The provisional permit may not exceed one year. At the board's discretion, the permit may be renewed.

History: Effective June 1, 1991; amended effective May 1, 2002.

General Authority: NDCC 43-48-04

Law Implemented: NDCC 43-48-04, 43-48-07, 43-48-08, 43-48-09, 43-48-11

96-02-02-03. Reciprocity. The board will evaluate the submission of requests for reciprocity for licensure on an individual basis and grant such only upon a finding that the requirements for licensure in another state or jurisdiction are equal to or more stringent than those of North Dakota and that the applicant's license in another state or jurisdiction is in good standing.

History: Effective June 1, 1991; amended effective May 1, 2002.

General Authority: NDCC 43-48-04

Law Implemented: NDCC 43-48-04

96-02-02-04. License renewal - Licenses are renewable biennially.

1. Applications for renewal of license will be mailed by the board in May of even-numbered years to all licenseholders. Fees are payable to the board on or before the first of July of the renewal year.
2. Proof of the required continuing education within the prior licensing period must be submitted with renewals.
3. If a licensee fails to receive the renewal notice, it is the responsibility of the licensee to contact the board before the first of July deadline.
4. License fees are considered delinquent and a late charge is assessed if the renewal application is not received by the board office on or before the first of July of the renewal year.
5. Licenses will expire if the renewal form and fees are not received within ninety days from the first of July of the renewal year.
6. If a person's license, including one issued pursuant to the grandfather provisions of North Dakota Century Code section 43-48-12, expires, the

person must make application for a license in accordance with section 96-02-02-01 and meet the requirements of section 96-02-02-02.

History: Effective June 1, 1991; amended effective May 1, 2002.

General Authority: NDCC 43-48-04

Law Implemented: NDCC 43-48-04, 43-48-06, 43-48-14

96-02-02-05. Registration refused, revoked, or suspended. Repealed effective May 1, 2002.

96-02-02-06. Inactive status. Repealed effective May 1, 2002.

**CHAPTER 96-02-03
FEES**

Section
96-02-03-01 Fees

96-02-03-01. Fees. The board shall set fees in such an amount as to reimburse the operational cost of licensure services rendered.

	2002	2004	2006 and thereafter
1. Initial license fee			
Category MT (CLS) and Specialists	\$70.00	\$80.00	\$90.00
Category CLT, MLT	\$50.00	\$60.00	\$70.00
2. Biennial renewal fee			
Category MT (CLS) and Specialists	\$60.00	\$70.00	\$80.00
Category CLT, MLT	\$40.00	\$50.00	\$60.00
3. Late fees	\$50.00		

History: Effective June 1, 1991; amended effective May 1, 2002.

General Authority: NDCC 43-48-04, 43-48-06

Law Implemented: NDCC 43-48-04, 43-48-06

**CHAPTER 96-02-04
CONTINUING EDUCATION**

Section
96-02-04-01 Continuing Education

96-02-04-01. Continuing education.

1. A clinical laboratory practitioner licensed in North Dakota must complete twenty continuing education contact hours for the two-year licensing period to maintain licensure in North Dakota.
 - a. Twenty continuing education hours are required if licensed after June thirtieth of the even-numbered year and before July first of the odd-numbered year.
 - b. Ten continuing education hours are required if licensed after June thirtieth and on or before December thirty-first of the odd-numbered year.
 - c. No continuing education hours are required if licensed on or after January first of an even-numbered year.
2. Board-approved continuing education must be directly related to or supportive of clinical laboratory practice. Continuing education includes:
 - a. Workshops, refresher courses, professional conferences, seminars, and educational programs presented by providers approved by the board.
 - b. Presentations by licensee:
 - (1) Professional presentations, e.g., workshops, institutes. A presentation may be counted only one time and there is no limit on hours that may be earned under this paragraph.
 - (2) Community or service organization presentations. A general public presentation may be counted only one time and no more than three hours may be earned under this paragraph.
 - c. Formal academic coursework. One credit hour class is equal to ten contact hours.
 - d. Formal self-study course with a completion certificate, and there is no limit on hours under this subdivision.
 - e. Research approved by the board.

- f. Supervised clinical practice approved by the board.
 - g. Facility-based continuing education program. No more than sixty percent of the required hours may be earned under this subdivision.
3. Nonacceptable continuing education topics include courses in general safety not directly related to clinical laboratory practice, annual training required by a medical facility such as cardiopulmonary resuscitation or first aid, breath alcohol instrument training, personal reading of professional journals, committee meetings, computer classes, personal enrichment courses, and programs delivered through the mass media.
 4. The board requires verification of continuing education completion, which must be received by the board office on or before the licensure expiration date. Verification must include name of licensee; dates of attendance; title of program, course, or workshop; sponsor's name and address; and number of earned contact hours. Verification documentation must be submitted on a board-approved continuing education record form and include a copy of a continuing education certificate signed by the provider or sponsor.
 5. Failure to meet the continuing education requirements by the deadline will result in nonrenewal of license.
 6. The board may waive requirements or allow exceptions due to extraordinary circumstances.

History: Effective June 1, 1991; amended effective May 1, 2002.

General Authority: NDCC 43-48-04

Law Implemented: NDCC 43-48-04

**CHAPTER 96-02-05
NAME AND ADDRESS CHANGES**

Section
96-02-05-01 Name and Address Changes

96-02-05-01. Name and address changes. Any licensee must promptly report a change of name or address to the board in writing.

History: Effective June 1, 1991; amended effective May 1, 2002.

General Authority: NDCC 43-48-04

Law Implemented: NDCC 43-48-04

**CHAPTER 96-02-06
VIOLATIONS**

[Repealed effective May 1, 2002]

**CHAPTER 96-02-07
GRIEVANCES**

[Repealed effective May 1, 2002]

**CHAPTER 96-02-08
BOARD ACTION**

[Repealed effective May 1, 2002]

**CHAPTER 96-02-09
DISCIPLINE**

Section
96-02-09-01 Disciplinary Procedure

96-02-09-01. Disciplinary procedure.

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 43-48-15, the board shall notify the licensee of the complaint and require a written response from the licensee.
2. The board may direct a board member to investigate the complaint. After completing the investigation, the board member will recommend whether the board should take disciplinary action against the licensee.
3. 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 43-48-15. If the board determines there is not a reasonable basis to believe, the board will notify the complainant and the licensee. If the board determines there is a reasonable basis to believe, the board will proceed with a disciplinary action in accordance with North Dakota Century Code chapter 28-32.
4. The board may, at any time, offer or accept a proposal for informal resolution of the complaint or disciplinary action.

History: Effective May 1, 2002.

General Authority: NDCC 43-48-04

Law Implemented: NDCC 43-48-15