

**ND BOARD OF CLINICAL LABORATORY PRACTICE**  
**October 11, 2016**  
**State Health Department, Rm. 206, State Capitol, Bismarck, ND**  
**Minutes**

**Call to Order:** The Board Chair, Sandra Matthey, called the meeting to order at 10:00 AM.

**Present:** Board Members: Sandra Matthey – Chair (via phone), Sherry Melby – Secretary, Bruce Pritschet, Tom Tupa, Ruth Paur (via phone).  
Others: Nikki Owings; John Tyler, Legal Counsel.

**Absent:** Kyle Handegard and Dr. Koponen

**Minutes:** It was **moved and seconded** to approve the July 12, 2016 and September 12, 2016 minutes. (Tupa/Melby/carried) [Handegard and Koponen absent]

**Financial Report:** The report was through the first fourteen months of the 2-year budget cycle. Expenses are all in line with the budget except for Legal Fees. It was **moved and seconded** to accept the financial report as presented contingent upon Handegard's review and to give Handegard discretion to cash out a CD to cover expenses if required.  
(Tupa/Pritschet/carried) [Handegard and Koponen absent] **[Handegard]**

**Financial Audit:** It was noted that the wrong name of the Board was listed on pages 24 and 26 of the audit. The Schedule of Findings and Questioned Costs page noted the Board's small staff size and that delegation of duties is limited. No action is required on the Board's part. It was **moved and seconded** to accept the financial audit as presented noting the requested correction to pages 24 and 26. (Tupa/Melby/carried) [Roll call: Pritschet (y), Melby (y), Tupa (y), Paur (y), Matthey (y)] [Handegard and Koponen absent]  
**[Bd. Office]**

**OLD BUSINESS**

**Statute Amendments Update:**

Senator Judy Lee will sponsor the bill. Paur will keep in contact with her to monitor the progress of introducing the bill. **[Paur]**

**Administrative Rules (Review of Public Comment):**

The majority of the concerns in the public comment were the continuing education hour increase, the licensure/renewal fee increase, and exemption of tests/methods.

The Board considered the comments regarding the increase of continuing education hours. It was **moved and seconded** to change the proposed 30-hour requirement to 24 hours in a 2-year period and the proposed pro-rated 15 hour requirement to 12 hours. (Pritschet/Tupa/carried) [Roll call: Pritschet (y), Melby (y), Tupa (y), Paur (y), Matthey (y)] [Handegard and Koponen absent] The Board is considering this increase to be

consistent with national certification and due to the fact that continuing education is more accessible with online options.

It was **moved and seconded** to make the increased continuing education hours effective July 1, 2018. (Paur/Melby/carried) [Roll call: Pritschet (y), Melby (y), Tupa (y), Paur (y), Matthey (y)] [Handegard and Koponen absent]

The Board considered the comments regarding the increase of licensure and renewal fees. The Board felt the protest of the fee increase is due to the lack of knowledge about how the Board spends its money. As a result, the board will keep the proposed increase as is and post its budget on the Board's web site for more transparency. It was **moved and seconded** the Board maintain the suggested increase of \$10 for licensure and renewal fees. (Tupa/Pritschet/carried) [Roll call: Pritschet (y), Melby (y), Tupa (y), Paur (y), Matthey (y)] [Handegard and Koponen absent]

The Board considered comment regarding exempt tests/methods. The Board's purpose is to protect the public, not to promote the profession. Waived testing is a federal process and not something the Board plays a role in. It was **moved and seconded** to leave the newly approved exempt tests in the proposed rules and continue to scrutinize each waived test to ensure public safety. (Paur/Pritschet/carried) [Roll call: Pritschet (y), Melby (y), Tupa (y), Paur (y), Matthey (y)] [Handegard and Koponen absent]

The Board considered a comment requesting the certification examination no longer be a requirement for licensure. This examination is the key component to making sure minimum standards are met for license applicants. It was **moved and seconded** to not remove the certification examination from licensure requirements. (Paur/Melby/carried) [Roll call: Pritschet (y), Melby (y), Tupa (y), Paur (y), Matthey (y)] [Handegard and Koponen absent]

It was **moved and seconded** to move forward with the proposed rules as amended. (Tupa/Pritschet/carried) [Roll call: Pritschet (y), Melby (y), Tupa (y), Paur (y), Matthey (y)] [Handegard and Koponen absent] **[Legal Counsel & Bd. Office]**

#### **Requests for Exemption of Test/Method from Current Licensure:**

**Alere i Strep A** – The subcommittee will meet to review the single step, waived PCR technologies and report to the Board at its January meeting.

**Influenza A/B by Waived PCR** - The subcommittee will meet to review the single step, waived PCR technologies and report to the Board at its January meeting.

**RSV Testing** – The Board will wait to consider when more information is available.  
**[Bd. Office & Chair]**

#### **NEW BUSINESS**

##### **NSF Fee:**

**Jeffrey Jensen** – It was **moved and seconded** to have Legal Counsel send a letter to Jensen on Attorney General letterhead about making the payment of \$90 (\$70 license fee plus \$20 NSF fee), if no response is received, the Board will move forward with the process of suspension at the January meeting. (Tupa/Pritschet/carried) [Roll call:

Pritschet (y), Melby (y), Tupa (y), Paur (y), Matthey (y)] [Handegard and Koponen absent] **[Legal Counsel]**

**Application Questions:**

The Board reviewed the personal questions on the initial licensure and renewal of licensure applications. It was **moved and seconded** to change the personal question on the renewal applications to reflect “within the last two years” and on the initial applications, ask if an offense ever occurred other than a minor traffic violation. (Pritschet/Melby/carried) [Roll call: Pritschet (y), Melby (y), Tupa (y), Paur (y), Matthey (y)] [Handegard and Koponen absent] **[Bd. Office]**

**Board Appointment:**

Handegard will continue to serve until replaced. The Board will wait until the January meeting to appoint a new treasurer. Once Handegard is off the Board, the office staff will prepare any checks for payment of bills and Tupa will sign the checks.

**Other:**

**Procurement Process for Board Management** – Tupa will serve on a committee with the procurement office to select vendors for the approved vendor pool. The Board has been given a December 1, 2016 deadline for the selection of a vendor. It was **moved and seconded** to grant alternative procurement to continue services with APT, Inc. for up to 6 months beyond the expiration of the current alternative procurement should the Board not meet the December 1, 2016 deadline. (Pritschet/Melby/carried) [Roll call: Pritschet (y), Melby (y), Tupa (y), Paur (y), Matthey (y)] [Handegard and Koponen absent] **[Tupa]**

**2017 Meeting Dates:**

January 10, 2017	10:00 am	Resource Rm. 206, ND Dept. of Health, Capitol
April 11, 2017	10:00 am	Resource Rm. 206, ND Dept. of Health, Capitol
July 11, 2017	10:00 am	Resource Rm. 206, ND Dept. of Health, Capitol
October 10, 2017	10:00 am	Resource Rm. 206, ND Dept. of Health, Capitol

**ADJOURN**

Meeting adjourned at 11:55 am.

Respectfully submitted,

Sandra Matthey, Board Chair

Sherry Melby, Board Secretary