

2013 HOUSE HUMAN SERVICES

HB 1094

2013 HOUSE STANDING COMMITTEE MINUTES

House Human Services Committee Fort Union Room, State Capitol

HB 1094
January 14, 2013
Job #17155

Conference Committee

Kristie Helms

Explanation or reason for introduction of bill/resolution:
Respiratory Care Practitioners

Minutes:

See Testimony #1

Chairman Weisz: Opened the hearing on HB 1094.

Joe Link: registered respiratory therapist: HB 1094 essentially needs cleanup of the language to meet present day needs. (See Testimony #1). Also added that is not on testimony is (refer to 43-42-01) that the Agency listed is Allied Health Education Programs and it should be Commission on Accreditation for Respiratory Care

Chairman Weisz: What are the current fees?

Joe Link: \$60

Chairman Weisz: Are you asking for room to raise them now?

Joe Link: No, just to have the language cleaned up, right now there is no plan to increase them but if in the future that was added so that we did not have to represent.

Chairman Weisz: Was the time frame to take the exam the only reason that the word temporary was used.

Joe Link: Yes, the test used to only be available to take about 3 times a year and therefore a temporary license would take place. Currently the test is online and accessible on a daily basis.

Rep Laning: Is your National Organization in danger of going out of business that you need a successor organization?

Joe Link: Not that I am aware of.

Rep Laning: You do have a national board that administers this exam, correct?

Joe Link: Yes

Rep Laning: For how long? And you are sure there is no intent on the organization closing?

Joe Link: 40+ years. No I am unaware of any talk of that happening in the near future.

Rep Fehr: The wording and language of these needs to update?

Joe Link: That correct.

Rep Porter: Pg 4, starting on line 25 is the removal of a licensure component that you didn't explain in your testimony.

Joe Link: I believe the last sentence is actually the one that needs to be removed, not sure why it appears that they wanted more removed, it should just be the last line. The temporary license does not exist anymore.

Rep Porter: What does the Board presently have financially?

Joe Link: Just enough to cover the basics, again I believe that was put in there just in case. For example the company that we do our testing on line with just raised their fees.

Rep Porter: How many individuals are licensed under this board?

Joe Link: Roughly 350 people.

Chairman Weisz: Can we get a copy of the financial statement, we do this when increased fees is being requested?

Joe Link: Yes

Rep Mooney: Pg. 5, under 43-42-05 line 23, another section has been taken out, is that because it is no longer needed?

Joe Link: I believe so, yes.

Chairman Weisz: Anyone else?

Edward Erikson: I am legal advisor to the Board, the office of Attorney Generals not taking a position on HB 1094, it is a policy matter for the Board. If you have any questions I could answer them.

Rep Fehr: If there was a significant complaint with the Board, where the fees would be paid from.

Edward Erickson: In the past there has been situation where the Board has to take legal action, an example is a Chiropractor was upcoming and the legal fees ended up being

100,000 +. So yes this would be one reason an increase in the future would be possible, it does not happen very often, it usually gets settled for much less. There is nothing currently pending with this Board but coming close to the statutory limit and so as long as they were here with the HB 1094 it was best to add the increase now. This is only setting a maximum range of increase.

Rep Fehr: Is it true if a Board is underfunded to keep their rates down, in fact the Board may be faced with making decisions just based on their financial statement?

Edward Erickson: We try to avoid doing that, I can't say that it never enters anyone's mind.

Rep Porter: On Sub 8, pg 4, line 25 does the language need to go back in and just strikeout the temporary license, why is other parts being removed.

Edward Erickson: We only need to remove that last sentence in Sub 8.

Rep Silbernagel: 43-42-04, we have added Certified Nurse Practitioner or Physician's Assistant have they historically been able to prescribe and your just updating this?

Edward Erickson: This is the practice in most states, we are a little bit behind the times in updating our laws, they are generally prescribing respiratory care, and our statutes restrict that to only Licensed Physicians.

Rep Silbernagel: So have they been operating outside the law?

Edward Erickson: I am not aware of that and don't want to be.

NO OPPOSITION

Hearing Closed.

2013 HOUSE STANDING COMMITTEE MINUTES

House Human Services Committee
Fort Union Room, State Capitol

HB 1094
January 14, 2013
Job 17172

Conference Committee

Kristin Hetzler

Explanation or reason for introduction of bill/resolution:

Respiratory Care Practitioners.

Minutes:

Chairman Weisz: Re-opened the hearing on HB 1094.

Rep Laning: Are we acting on just the last sentence or the whole paragraph?

Chairman Weisz: There will have to be an amendment to keep that language in there. Also changing the language on pg 1, line 10 that it should say the commission on Accreditation for Respiratory Care instead of Allied Health Education Program. Are there is a motion to make an amendment.

Rep Laning: Motions to amend the language on pg 1, line 10. And to remove the overstrike on pg 4, lines 24,25,26,27,28, 29 through the period after Board.

Rep Anderson: Seconds.

Rep Fehr: It should say it is credited by the Commission (line).

Chairman Weisz: Something needs to change there; the information currently listed is outdated. Everyone understand the amendment on pg1 and 4?

Voice vote: Motioned carried.

Rep Fehr: Pg 3 talking about actually dollars, is that a good idea?

Chairman Weisz: In the past, we do not like open ended amounts? They are at \$60 right now, making it 100,000 allows some leeway. Their financials show that they have lost 10,000 this last year and even if they raised the fee \$10 that wouldn't cover their loss.

Rep Laning: They have \$100,000 in their kitty and with lawsuits that is really not out of line.

Chairman Weisz: Right now they are receiving \$30,000+ a year for license fees. And they are expecting more licensing for next year.

Rep Silbernagel: It's pretty revenue neutral.

Rep Porter: In the big picture, currently they are not using their allocated amount that they have been given, and they are forecasting close to a loss. They should be raising the fees to avoid loss. I know there is a bill out there that says that Boards like this one, if they have less than \$100,00 then they do not have to pay for audit that will save them \$1500. I would move to amend on pg 3, line 9 and line 21 but look at line 2 they already have it stating fees not in excess of one hundred dollars. So that raises confusion that there still has a certified level of practioner along with a registered level practioner.

Rep Porter: I would move to amend pg. 3, lines 9 and 21,22 and remove the \$100 and replace it with \$90.

Rep Anderson: Second.

Voice Vote: Motion carried.

Chairman Weisz: We have a further amended bill, HB 1094

Rep Hofstad: Motion to do pass HB 1094 as amended.

Rep Silbernagel: Second.

ROLL CALL VOTE: 13 y 0 n 0 absent

Bill Carrier: Rep Hofstad

FISCAL NOTE
Requested by Legislative Council
12/21/2012

Amendment to: HB 1094

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2011-2013 Biennium		2013-2015 Biennium		2015-2017 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

- 1 B. **County, city, school district and township fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

	2011-2013 Biennium	2013-2015 Biennium	2015-2017 Biennium
Counties			
Cities			
School Districts			
Townships			

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

At this point, there is no fiscal impact.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

- A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

- B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

- C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

Name: Nikki Owings

Agency: ND State Board of Respiratory Care

Telephone: 701-222-1564

Date Prepared: 01/04/2013

FISCAL NOTE
Requested by Legislative Council
12/21/2012

Bill/Resolution No.: HB 1094

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2011-2013 Biennium		2013-2015 Biennium		2015-2017 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
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Townships			

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At this point, there is no fiscal impact.

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- A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

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Name: Nikki Owings

Agency: ND State Board of Respiratory Care

Telephone: 701-222-1564

Date Prepared: 01/04/2013

VK
1/14/13

January 14, 2013

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1094

Page 1, line 10, overstrike "allied health"

Page 1, line 11, overstrike "educational programs" and insert immediately thereafter
"respiratory care"

Page 3, line 9, replace "one hundred" with "ninety"

Page 3, line 21, remove "one"

Page 3, line 22, replace "hundred" with "ninety"

Page 4, line 25, after "8-" insert "7."

Page 4, line 25, remove the overstrike over "~~Licenses issued under this chapter expire
annually, but may be renewed upon~~"

Page 4, remove the overstrike over lines 26 through 28

Page 4, line 29, remove the overstrike over "~~the board, and after payment of a fee established
by the board.~~"

Page 5, line 1, replace "7." with "8."

Renumber accordingly

Date: 1-14-13
Roll Call Vote #: 1

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1094

House Human Services Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By Rep. Laning Seconded By Rep. Anderson

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN WEISZ			REP. MOONEY		
VICE-CHAIRMAN HOFSTAD			REP. MUSCHA		
REP. ANDERSON			REP. OVERSEN		
REP. DAMSCHEN					
REP. FEHR					
REP. KIEFERT					
REP. LANING					
REP. LOOYSEN					
REP. PORTER					
REP. SILBERNAGEL					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

amend language
mover overstrike 26,27,28

voice vote carried

Date: 1-14-13
Roll Call Vote #: 2

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1094

House Human Services Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By Rep. Porter Seconded By Rep. Anderson

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN WEISZ			REP. MOONEY		
VICE-CHAIRMAN HOFSTAD			REP. MUSCHA		
REP. ANDERSON			REP. OVERSEN		
REP. DAMSCHEN					
REP. FEHR					
REP. KIEFERT					
REP. LANING					
REP. LOOYSEN					
REP. PORTER					
REP. SILBERNAGEL					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:
*amend on Pg. 3 lines 9 and 21 and 22.
Remove the \$100 and replace
with \$90.*

Voice vote motion Carried

Date: 1-14-13
Roll Call Vote #: 3

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1094

House Human Services Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By Hofstad Seconded By Silbernagel

Representatives	Yes	No	Representatives	Yes	No
CHAIRMAN WEISZ	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	REP. MOONEY	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
VICE-CHAIRMAN HOFSTAD	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	REP. MUSCHA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
REP. ANDERSON	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	REP. OVERSEN	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
REP. DAMSCHEN	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
REP. FEHR	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
REP. KIEFERT	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
REP. LANING	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
REP. LOOYSEN	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
REP. PORTER	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
REP. SILBERNAGEL	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			

Total (Yes) 13 No 0

Absent 0

Floor Assignment Hofstad

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1094: Human Services Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1094 was placed on the Sixth order on the calendar.

Page 1, line 10, overstrike "allied health"

Page 1, line 11, overstrike "educational programs" and insert immediately thereafter "respiratory care"

Page 3, line 9, replace "one hundred" with "ninety"

Page 3, line 21, remove "one"

Page 3, line 22, replace "hundred" with "ninety"

Page 4, line 25, after "8." insert "7."

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Page 4, line 29, remove the overstrike over "~~the board, and after payment of a fee established by the board.~~"

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Re-number accordingly

2013 SENATE HUMAN SERVICES

HB 1094

2013 SENATE STANDING COMMITTEE MINUTES

Senate Human Services Committee Red River Room, State Capitol

HB 1094
2/18/13
19112:

Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to respiratory care practitioners.

Minutes:

See attached testimony.

Chairwoman J Lee: Calls hearing on HB 1094

Joe Link: a registered respiratory therapist in Bismarck, and chair for the North Dakota State Board of Respiratory care. Presented information in favor of HB 1094. See attachment #1 (Meter 0.43)

Senator Larson: Asked for clarification on how many respiratory therapists are certified or licensed. Joe Link said that it was about a little fewer than 400.

Senator Anderson: Talked about fee about fees of licenses to be put into the legislation.

John Olson the Academy of Physician Assistance of North Dakota is in favor of HB 1094. (Meter 4:24)

Edward Erikson was called to the podium by Chairwoman J. Lee. There were no questions for him.

Chairwoman J Lee closed the hearing.

Senator Anderson motioned for Do Pass

Senator Larsen seconded.

Roll call vote: 4-0
(Voting was left open for Senator Dever)

Senator Larsen will carry to the floor.

Senate Human Services Committee

HB 1094

2/18/2013

Page 2

Final vote for Do Pass 5-0-0

FISCAL NOTE
Requested by Legislative Council
12/21/2012

Amendment to: HB 1094

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Cities			
School Districts			
Townships			

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

At this point, there is no fiscal impact.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

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Name: Nikki Owings

Agency: ND State Board of Respiratory Care

Telephone: 701-222-1564

Date Prepared: 01/04/2013

FISCAL NOTE
Requested by Legislative Council
12/21/2012

Bill/Resolution No.: HB 1094

- 1 A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

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Name: Nikki Owings

Agency: ND State Board of Respiratory Care

Telephone: 701-222-1564

Date Prepared: 01/04/2013

Date: 2-18-13
Roll Call Vote #: 1

2013 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. _____

Senate Human Services _____ Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By SEN ANDERSON Seconded By SEN LARSEN

Senators	Yes	No	Senator	Yes	No
Chairman Judy Lee	/		Senator Tyler Axness	/	
Vice Chairman Oley Larsen	/				
Senator Dick Dever	/				
Senator Howard Anderson, Jr.	/				

Total (Yes) 5 No 0

Absent _____

Floor Assignment SEN LARSEN

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1094, as engrossed: Human Services Committee (Sen. J. Lee, Chairman)
recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).
Engrossed HB 1094 was placed on the Fourteenth order on the calendar.

2013 TESTIMONY

HB 1094

1
Good morning, members of the House Human Services Committee:

My name is Joe Link, a registered respiratory therapist at St. Alexius Medical Center in Bismarck and chair of the North Dakota Board of Respiratory Care.

House Bill 1094 essentially cleans up the language of the Respiratory Care law in North Dakota by updating it to present day needs.

The first change is to remove the language referring to "temporary respiratory therapist." "Temporary" was originally included in the initial RT law because the entry level exam (certification) was only offered three times a year, so to enable new graduates the ability to begin working, the temporary license was issued. Today, the entry level exam can be taken almost 365 days a year by computer, so there is no longer a need for the temporary license.

The second change is to include Nurse Practitioner and Physician Assistant in the language pertaining to who can prescribe respiratory care orders. This change is being made to comply with Medicare rules and to allow for the fact that in a rural state like ours, often times NP's and PA's are the ones writing the orders.

The third change is the price for licensure. Currently the cost is \$60 with a maximum of \$70. The change to a \$100 maximum would allow for a possible increase, only if needed, without requiring a separate legislative order.

Please consider passage of HB 1094 to enable us to update our practice law and continue to provide quality cardiopulmonary care to the citizens of North Dakota.

Thank you for your time and consideration.

Sincerely,

Joe Link, MBA, RRT
NDSBRC

Cash Basis

NORTH DAKOTA STATE BOARD OF RESPIRATORY CARE LICENSURE
 FINANCIAL REPORT
 FOR THE ELEVEN MONTHS ENDING DECEMBER 31, 2012

	CURRENT MONTH 12/31/12	YEAR TO DATE	TOTAL BUDGET FOR THE YEAR 12/13	VARIANCE
REVENUE:				
NEW LICENSE	1,380.00	4,920.00	2,100.00	2,820.00
CRT	660.00	2,160.00		
RRT	420.00	2,100.00		
RPT	300.00	540.00		
TEMP - TCRT	0.00	120.00		
RENEWALS	5,760.00	8,940.00	10,200.00	(1,260.00)
CRT	960.00	1,500.00		
RRT	4,800.00	7,380.00		
RPT	0.00	60.00		
ONLINE RENEWALS	0.00	12.03	19,800.00	(19,787.97)
LATE FEES	10.00	190.00	250.00	(60.00)
LICENSE VERIFICATION	50.00	250.00	180.00	70.00
LICENSE LIST	0.00	0.00	30.00	(30.00)
INTEREST	0.00	1,516.19	1,000.00	516.19
MISC. INCOME	269.00	1,169.00	40.00	1,129.00
TOTAL REVENUE:	<u>7,469.00</u>	<u>16,997.22</u>	<u>33,600.00</u>	<u>(16,602.78)</u>
EXPENDITURES:				
MANAGEMENT	1,447.00	15,875.00	17,364.00	(1,489.00)
POSTAGE	334.77	761.93	800.00	(38.07)
PHOTOCOPIES	27.58	375.33	300.00	75.33
TELEPHONE/FAXES	41.87	1,051.16	2,300.00	(1,248.84)
WEB PAGE SERVICE MAINT.	240.63	1,407.87	200.00	1,207.87
OFFICE SUPPLIES	0.00	234.49	750.00	(515.51)
MISCELLANEOUS	19.00	357.00	300.00	57.00
DATABASE HOSTING	100.00	1,100.00	1,200.00	(100.00)
ADVERTISING	0.00	0.00	300.00	(300.00)
LEGAL FEES	267.06	3,024.17	3,000.00	24.17
AUDIT	0.00	1,525.00	1,500.00	25.00
BOARD MEETING	0.00	842.62	1,000.00	(157.38)
CREDIT CARD FEES	0.00	2.92	700.00	(697.08)
RISK MANAGEMENT FUND	520.27	520.27	800.00	(279.73)
PRINTING OF FORMS	0.00	0.00	300.00	(300.00)
TOTAL EXPENDITURES:	<u>2,998.18</u>	<u>27,077.76</u>	<u>30,814.00</u>	<u>(3,736.24)</u>
NET INCOME / (LOSS)	<u>4,470.82</u>	<u>(10,080.54)</u>	<u>2,786.00</u>	<u>(12,866.54)</u>
Cash Beginning Balance 02/01/12	106,811.30			
Net Income / (Loss)	<u>(10,080.54)</u>			
Balance as of 12/31/12	<u>96,730.76</u>			
Checking Balance on 12/31/12	32,947.47			
CD Balance on 12/31/12	<u>63,783.29</u>			
	<u>96,730.76</u>			

NORTH DAKOTA STATE BOARD OF RESPIRATORY CARE LICENSURE
Budget
FOR THE YEAR ENDING JANUARY 31, 2014

	PRIOR YEAR Year 12/13	TOTAL BUDGET FOR THE YEAR 13/14	VARIANCE
REVENUE:			
NEW LICENSE	2100.00	4500.00	2400.00
CRT			
RRT			
RPT			
TCRT			
RENEWALS	10200.00	10200.00	0.00
CRT			
RRT			
RPT			
TCRT			
ONLINE RENEWALS	19800.00	19800.00	0.00
LATE FEES	250.00	250.00	0.00
LICENSE VERIFICATION	180.00	200.00	20.00
LICENSE LIST	30.00	10.00	(20.00)
INTEREST	1000.00	1000.00	0.00
MISC. INCOME	40.00	40.00	0.00
	-----	-----	-----
TOTAL REVENUE:	33600.00	36000.00	2400.00
EXPENDITURES:			
MANAGEMENT (1476.00 @ 12)	17364.00	17712.00	348.00
CREDIT CARD FEES	700.00	700.00	700.00
POSTAGE	800.00	850.00	50.00
PHOTOCOPIES	300.00	400.00	100.00
TELEPHONE/FAXES	2300.00	2300.00	0.00
WEB PAGE SERVICE	200.00	1500.00	1300.00
OFFICE SUPPLIES	750.00	750.00	0.00
MISCELLANEOUS	300.00	300.00	0.00
DATABASE HOSTING & MAINTENANCE	1200.00	1200.00	0.00
ADVERTISING	300.00	300.00	0.00
LEGAL FEES	3000.00	3500.00	500.00
AUDIT	1500.00	1550.00	50.00
BOARD MEETING	1000.00	1000.00	0.00
RISK MANAGEMENT FUND	800.00	800.00	0.00
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TOTAL EXPENDITURES:	30514.00	32862.00	3048.00
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NET INCOME / (LOSS)	3086.00	3138.00	(648.00)
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Good morning, members of the Senate Human Services Committee:

My name is Joe Link, a registered respiratory therapist in Bismarck and chair of the North Dakota State Board of Respiratory Care.

House Bill 1094 essentially cleans up the language of the Respiratory Care law in North Dakota by updating it to present day needs.

The first change is to remove the language referring to "temporary respiratory therapist." "Temporary" was originally included in the initial RT law because the entry level exam was only offered three times a year, so to enable new graduates the ability to begin working, the temporary license was issued. Today, the entry level exam can be taken almost 365 days a year by computer, so there is no longer a need for the temporary license.

The second change is to include Nurse Practitioner and Physician Assistant in the language pertaining to who can prescribe respiratory care orders. This change is being made to comply with Medicare rules and to allow for the fact that in a rural state like ours, often times NP's and PA's are the ones writing the orders.

The third change is the price for licensure. Currently the cost is \$60 with a maximum of \$70. The change to a \$100 maximum would allow for a possible increase, only if needed, without requiring a separate legislative order.

One added correction is to change the "commission on accreditation of allied health educational programs" to the "commission on accreditation for respiratory care" to reflect the correct name of the current commission.

Please consider passage of HB 1094 to enable us to update our practice law and continue to provide quality cardiopulmonary care to the citizens of North Dakota.

Thank you for your time and consideration.

Sincerely,

Joe Link, MBA, RRT
NDSBRC