

**Fifty-ninth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 4, 2005**

SENATE BILL NO. 2068
(Senator J. Lee)
(Representative Price)
(At the request of the State Board of Medical Examiners)

AN ACT to amend and reenact subsection 1 of section 43-17-03 and subsection 1 of section 43-17.1-02 of the North Dakota Century Code, relating to state board of medical examiners membership and investigative panels.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 1 of section 43-17-03 of the North Dakota Century Code is amended and reenacted as follows:

1. The governor shall appoint a state board of medical examiners consisting of ~~eleven~~ twelve members, ~~eight~~ nine of whom are doctors of medicine, one of whom is a doctor of osteopathy, and two of whom are designated as public members. If no osteopathic physician is qualified and willing to serve, any qualified physician may be appointed in place of the osteopathic physician.

SECTION 2. AMENDMENT. Subsection 1 of section 43-17.1-02 of the North Dakota Century Code is amended and reenacted as follows:

1. For the purpose of investigating complaints or other information that might give rise to a disciplinary proceeding against a physician, a physician assistant, or a fluoroscopy technologist, the president of the board must designate two investigative panels, each comprised of ~~five~~ six members of the board. ~~Four~~ Five members of each panel must be physician members of the board. One member of each panel must be a public member of the board. ~~The president of the board shall serve on neither investigative panel.~~

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Fifty-ninth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2068.

Senate Vote: Yeas 44 Nays 0 Absent 3

House Vote: Yeas 91 Nays 0 Absent 3

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2005.

Approved at _____ M. on _____, 2005.

Governor

Filed in this office this _____ day of _____, 2005,

at _____ o'clock _____ M.

Secretary of State