

CHAPTER 15-52 STATE MEDICAL CENTER

15-52-01. School of medicine and health sciences.

The primary purpose of the university of North Dakota school of medicine and health sciences is to educate physicians and other health professionals for subsequent service in North Dakota and to enhance the quality of life of its people. Other purposes include the discovery of knowledge that benefits the people of this state and enhances the quality of their lives.

15-52-02. Control and operation.

The control and operation of the university of North Dakota school of medicine and health sciences is the duty and responsibility of the administrative authorities of the university of North Dakota and its medical school under the policies of the state board of higher education or its successor in authority.

15-52-03. School of medicine and health sciences advisory council - Members, terms, meetings.

1. To assure the proper coordination of the university of North Dakota school of medicine and health sciences with all other health activities of the state, a permanent school of medicine and health sciences advisory council is established to perform the duties in section 15-52-04.
2. The council consists of sixteen members:
 - a. (1) Two members of the senate, one of whom must be from the majority party and one of whom must be from the minority party, selected by the chairman of the legislative management; and
 - (2) Two members of the house of representatives, one of whom must be from the majority party and one of whom must be from the minority party, to be selected by the chairman of the legislative management;
 - b. One member selected by each of the following:
 - (1) The department of human services;
 - (2) The state board of higher education;
 - (3) The state department of health;
 - (4) The North Dakota medical association;
 - (5) The North Dakota hospital association;
 - (6) The veterans administration hospital in Fargo;
 - (7) The North Dakota center for nursing; and
 - (8) The university of North Dakota center for rural health; and
 - c. Four members selected by the dean of the university of North Dakota school of medicine and health sciences, one from each of the four campuses of the school of medicine and health sciences with headquarters in Bismarck, Fargo, Grand Forks, and Minot.
3. The representatives named by the state agencies and boards must be selected to serve as members of the advisory council for periods of at least one year, but may not serve longer than their term of office on the public agency. The representatives from the North Dakota medical association, the North Dakota hospital association, and the North Dakota center for nursing shall serve a term of three years or until their successors are named and qualified.
4. The council shall name its own chairman and the dean of the university of North Dakota school of medicine and health sciences shall serve as executive secretary of the council. The executive secretary does not have voting privileges. The council shall meet not less than twice each year, and, from time to time, on its own motion or upon request of the university administration.

15-52-04. Duties of council.

1. The advisory council, in consultation with the school of medicine and health sciences and the other agencies, associations, and institutions represented on the advisory council, shall study and make recommendations regarding the strategic plan, programs, and facilities of the school of medicine and health sciences in support of its purpose as defined in section 15-52-01.
2. Biennially, the advisory council shall submit a report, together with its recommendations, to the agencies, associations, and institutions represented on the advisory council, to the university of North Dakota, and to the legislative council.
3. a. The report must describe the advisory council's recommendations regarding the strategic plan, programs, and facilities of the school of medicine and health sciences as developed under subsection 1. The recommendations for implementing strategies through the school of medicine and health sciences or other agencies and institutions must:
 - (1) Address the health care needs of the people of the state;
 - (2) Provide information regarding the state's health care workforce needs; and
 - (3) Provide information that specifies the contributions that the university of North Dakota school of medicine and health sciences and the residency training programs in the state are making to meet the health care provider workforce needs of the state. Such information must include data regarding:
 - (a) The effectiveness of activities conducted throughout the state relating to the recruitment and progression of students into medical school and into the health care provider workforce;
 - (b) Class characteristics of the medical school matriculants, specifically to include a description of their geographic background;
 - (c) Residency choices of medical school graduates;
 - (d) Practice location choices of graduates of North Dakota residencies; and
 - (e) Any other relevant information that the university of North Dakota school of medicine and health sciences advisory council determines to be important and useful in assessing the degree of success of the university of North Dakota school of medicine and health sciences in meeting the health care workforce needs of the state as specified in section 15-52-01.
- b. The recommendations required under subdivision a may address:
 - (1) Medical education and training;
 - (2) The recruitment and retention of physicians and other health care professionals;
 - (3) Factors influencing the practice environment for physicians and other health care professionals;
 - (4) Access to health care;
 - (5) Patient safety;
 - (6) The quality of health care and the efficiency of its delivery; and
 - (7) Financial challenges in the delivery of health care.
4. The council may consult with any individual or entity in performing its duties under this section.

15-52-05. Facilities.

The university authorities shall make the facilities of the university of North Dakota school of medicine and health sciences available to all agencies of the state, federal, and local governments engaged in health and welfare activities to the fullest extent possible within the limits of a complete and coordinated program for the use thereof on terms commensurate with the cost of services rendered and facilities furnished. The work of the school of medicine and health sciences must be coordinated with the work of the other departments of the university of North Dakota. Means must be provided whereby regularly enrolled students in other schools or departments of the university of North Dakota may, upon approval of the dean of such other

school or department, enroll in elective courses in the medical school and receive credit therefor in the school or department in which they are regularly enrolled, subject to such policy and procedures as may be established by the university of North Dakota and the state board of higher education. Medical students may enroll in other departments and schools. Such action must be taken as may serve to make both the school of medicine and health sciences and the other departments and schools of the university of North Dakota more efficient and responsive to needs of the people through the mutual interchange of facilities, and service, wherever possible.

15-52-06. Fees and charges of medical center.

Repealed by S.L. 1987, ch. 234, § 9.

15-52-07. Political subdivisions shall use facilities of center.

All agencies of the state, counties, and municipalities in any way concerned with health, medical care, or public welfare, shall make the fullest possible use of the facilities and services of the university of North Dakota school of medicine and health sciences and shall pay therefor the established fees and charges, and may contribute to the school of medicine and health sciences specific fees or monthly payments for specific facilities and services furnished.

15-52-08. Center may accept grants, gifts, and rentals - Power to contract.

The university of North Dakota school of medicine and health sciences or the university of North Dakota for the use and benefit of the school of medicine and health sciences is specifically authorized to accept and use for the purposes of the school of medicine and health sciences grants, gifts, contributions, fees, rentals, and other payments from any foundation, individual, firm, corporation, limited liability company, institution, public or private agency, or from the federal government or any of its departments, agencies, or bureaus; and may, within the limits of its funds available, enter into such agreements as may be necessary to secure buildings, supplies, maintenance, material, and equipment; and may contract with public or private agencies or persons for the rental or use of facilities, services, and equipment not owned by the school of medicine and health sciences.

15-52-09. Expenditure of proceeds of one-mill levy authorized - Limitation.

The proceeds of the one-mill tax levy established by section 10 of article X of the Constitution of North Dakota, together with any other funds that may be received by the state treasurer, from time to time, for the benefit of the university of North Dakota school of medicine and health sciences, must be expended to establish, develop, and maintain the university of North Dakota school of medicine and health sciences, as provided in this chapter, by the issuance of state warrants drawn on such funds by the director of the office of management and budget.

15-52-10. School of medicine and health sciences revolving loan fund.

The school of medicine and health sciences loan fund must be administered as a revolving loan fund by the university of North Dakota under the direction and control of the state board of higher education. As used in this chapter, the word "university" means the university of North Dakota under the direction and control of the state board of higher education. All moneys transferred into the fund, interest upon moneys in the fund, and payments to the fund of principal and interest on loans made from the fund are appropriated for the purpose of providing loans to qualified applicants.

15-52-11. Term of loan board.

Repealed by S.L. 1971, ch. 194, § 15.

15-52-12. Loan board - Officers, meetings, quorum.

Repealed by S.L. 1971, ch. 194, § 15.

15-52-13. Loan board minutes - Public access.

Repealed by S.L. 1971, ch. 194, § 15.

15-52-14. Loan board compensation.

Repealed by S.L. 1971, ch. 194, § 15.

15-52-15. Duties related to loan fund.

The university shall receive and pass upon, and allow or disallow, all applications for loans submitted by qualified applicants who desire to complete an education in medicine or dentistry for the purpose of entering medical or dental practice.

15-52-16. Qualifications of loan applicants.

An applicant is deemed qualified only if the applicant:

1. Meets the criteria as a resident for tuition purposes as defined by section 15-10-19.1; and
2. Is enrolled as a medical student of the university of North Dakota school of medicine and health sciences or can present to the university satisfactory proof that the applicant is enrolled as a student of a school of dentistry accredited by the commission on dental accreditation, or will be enrolled upon payment of tuition.

15-52-17. Loan investigations.

The university shall make a careful investigation to ascertain the truth of all matters set forth in applications received by it, including a study of the financial need of the applicant. Preference must be given to qualified applicants with demonstrated financial need.

15-52-18. Amount of loans.

Loans may be granted to qualified applicants by the university in amounts not in excess of ten thousand dollars each year.

15-52-19. Loan payments.

Repealed by S.L. 2003, ch. 141, § 7.

15-52-20. Loan conditions.

A loan granted by the university under section 15-52-10 and sections 15-52-15 through 15-52-28 must be upon the condition that the full amount of the loan must be repaid in cash with interest not to exceed six percent annually from the date of each payment pursuant to a loan agreement. The school of medicine and health sciences advisory council may annually establish an interest rate at a level lower than six percent. The repayment must be in yearly installments on a schedule set by the university with the first installment becoming due and payable one year from the date on which the applicant begins practice, but may not exceed six years from the date of graduation or one year from the date of graduation from a dental school if a dental student.

15-52-21. Loan agreement - Suit - Defenses.

Each applicant before being loaned any funds hereunder shall enter into a contract with the university agreeing to the terms and conditions set forth in section 15-52-10 and sections 15-52-15 through 15-52-28 and rules and regulations promulgated thereunder. For the purposes of section 15-52-10 and sections 15-52-15 through 15-52-28, the defenses of minority and of the statutes of limitation are hereby removed as to any applicant granted a loan, and such contracts are in all respects legal and binding. The university may sue in its own name any applicant for any balance due on any such contract and is authorized to compromise or settle litigation with respect to any such contract.

15-52-22. Loan cancellation or suspension.

The university may cancel any contract, or suspend or recall payments thereunder, if an applicant:

1. Fails in the applicant's course of study;
2. Withdraws from the school of medicine or dentistry the applicant is attending;
3. Is expelled or suspended by such school; or
4. Otherwise becomes a clearly unsuitable risk.

15-52-23. Remedies.

In the event the university finds it necessary to cancel a contract or to suspend or recall payments, it may commence legal proceedings for the recovery of all sums loaned to the applicant, together with interest thereon, the total of which sums becomes due and owing immediately upon the mailing to the applicant of written notice of the decision to cancel the contract or to suspend or recall payments thereunder.

15-52-24. Loan insurance.

Repealed by S.L. 2003, ch. 141, § 7.

15-52-25. Deposit and payment of funds.

All funds made available to the university pursuant to the provisions of this chapter are to be deposited by it and are to be paid out only upon vouchers signed by the official properly designated by the state board of higher education.

15-52-26. Availability of funds.

The state board of higher education is hereby directed and authorized to make available to the university, from the portion of the proceeds of the one-mill levy provided by section 10 of article X of the Constitution of North Dakota as the state board of higher education shall have retained in its possession pursuant to the provisions of section 15-52-09, such funds as may be required for the operation of the school of medicine and health sciences revolving loan fund, but not in excess of one hundred thousand dollars in any one year.

15-52-27. Purposes of loan fund.

The purposes of section 15-52-10 and sections 15-52-15 through 15-52-28 are hereby declared to be to develop and maintain the school of medicine and health sciences by making it possible for all qualified students attending such school to complete their education in medicine or in the case of dental students who are residents of the state of North Dakota to complete their education in dentistry.

15-52-28. Biennial report.

The state board of higher education may submit a biennial report to the governor and the secretary of state in accordance with section 54-06-04.

15-52-29. Training of psychiatric personnel.

The university of North Dakota school of medicine and health sciences, under the policies of the state board of higher education, shall provide or encourage means for providing for the training of such psychiatrists and other psychiatric personnel as may be necessary to properly staff state institutions and agencies providing services in the field of mental health. The school of medicine and health sciences may execute contracts with any suitable public or private agency providing such training services and facilities and to pay for such services from funds of the school of medicine and health sciences as provided in section 15-52-09.

15-52-30. Contracts or agreements authorized - Legislative intent.

1. The state board of higher education is authorized to enter into contracts or agreements, both interstate and intrastate, to provide medical education opportunities. These contracts and agreements must be made within the limits of available legislative

appropriation and may be for such periods of time as the state board of higher education deems necessary.

2. It is the intent of the legislative assembly that the state of North Dakota, through its state board of higher education, provide for a comprehensive program of medical education leading to a doctor of medicine degree.

15-52-31. Admission of students - Qualifications.

The faculty of the school of medicine and health sciences at the university of North Dakota may, with the advice of the school of medicine and health sciences advisory council and with the approval of the state board of higher education and in accordance with applicable accreditation requirements as specified by the liaison committee on medical education, adopt such rules and regulations governing the education and residency qualifications of applicants for admission to the school of medicine and health sciences as it deems necessary and proper to carry out its purpose as provided in section 15-52-01.