

## **ARTICLE 61.5-04 VIOLATIONS**

Chapter  
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Section  
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#### **61.5-04-01-01. Violations.**

Complaints and problems about alleged violations of North Dakota Century Code chapter 43-26.1 shall be forwarded to the board for its consideration. The board shall review and, if necessary, investigate all complaints and allegations that come before it. The board may seek the advice and assistance of legal counsel in this review and investigation process. The board may direct its executive officer, or other personnel, to act either directly, on its behalf, or to assist others, in filing complaints of North Dakota Century Code chapter 43-26.1 violations with state's attorneys, and to provide assistance and information as required by state's attorneys. The board may seek the advice of legal counsel concerning the use of injunctions as a means of preventing or stopping violations, and may direct legal counsel, on its behalf, to use such remedies. The board shall keep all information relating to the receipt and investigation of the complaint confidential until the information is disclosed in the course of the investigation or any subsequent proceeding, or until disclosure is required by law. However, patient records, including clinical records, files, any other report or oral statement relating to diagnostic findings of a patient or treatment of a patient, any information from which a patient or the patient's family might be identified, or information received and records or reports kept by the board as a result of an investigation made pursuant to North Dakota Century Code chapter 43-26.1, are confidential.

**History:** Effective December 1, 1980; amended effective July 1, 2004; April 1, 2006; April 1, 2020.

**General Authority:** NDCC 43-26.1-03(5)

**Law Implemented:** NDCC 43-26.1-03(16), 43-26.1-16, 43-26.1-17