

**FIRST ENGROSSMENT
with Conference Committee Amendments****ENGROSSED HOUSE BILL NO. 1425**

Introduced by

Representatives Galvin, Grande

Senator Tollefson

1 A BILL for an Act to amend and reenact section 25-16-07 of the North Dakota Century Code,
2 relating to the disclosure of individual records of a treatment or care center for developmentally
3 disabled individuals.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Section 25-16-07 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **25-16-07. Records of treatment or care center confidential.** ~~No~~ An agent of the
8 department of human services or the superintendent of the developmental center at westwood
9 park, Grafton or the licensee or their agents or employees may not disclose the contents of the
10 individual records of a treatment or care center for developmentally disabled ~~persons~~
11 individuals, nor of the reports received ~~therefrom~~ from those records, except:

- 12 1. In a judicial proceeding when ordered by the presiding judge;
- 13 2. To officers of the law or any other legally constituted boards or agencies serving
14 the interests of the residents; ~~or~~
- 15 3. To the parents or legal guardians of the resident-;
- 16 4. To a physician to aid in the treatment of an individual within the fourth degree of
17 consanguinity of a deceased resident, if the disclosure is limited to genetic health
18 information that has a direct bearing on the health of the relative, the relative's
19 child, or the relative's decision to have a child; or
- 20 5. To an individual who is within the fourth degree of consanguinity of a deceased
21 resident, if the disclosure is limited to information about a resident needed to
22 establish a family's genealogy.