

HOUSE BILL NO. 1517

Introduced by

Representatives D. Ruby, Kasper, Koppelman, Prichard, Tveit, Weisz

Senators Estenson, Larsen

1 A BILL for an Act to amend and reenact subsection 7 of section 43-06-14.1 and subsection 7 of
2 section 43-06-15 of the North Dakota Century Code, relating to disciplinary proceedings of the
3 state board of chiropractic examiners.

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

5 **SECTION 1. AMENDMENT.** Subsection 7 of section 43-06-14.1 of the North Dakota
6 Century Code is amended and reenacted as follows:

7 7. All data and information, including patient records acquired by the board or the peer
8 review committee, in the exercise of its duties and functions, are confidential and
9 closed to the public. This subsection does not limit a licensee from accessing records
10 for which the licensee has a medical release or limit a complainant from accessing
11 records which pertain to the complainant. All board and peer review committee
12 meetings ~~wherein~~ at which patient testimony or records are taken or reviewed are
13 confidential and closed to the public. However, a board or peer review meeting at
14 which patient records are taken or reviewed is not closed to the licensee to the extent
15 the records taken or reviewed are records for which the licensee has a medical
16 release and is not closed to the complainant to the extent the records taken or
17 reviewed pertain to the complainant.

18 **SECTION 2. AMENDMENT.** Subsection 7 of section 43-06-15 of the North Dakota Century
19 Code is amended and reenacted as follows:

20 7. If, based on the investigation or report from a peer review committee, the board has
21 reasonable cause to believe there is a basis for further proceedings, the board shall
22 prepare a complaint and serve the complaint, along with a notice of hearing, on the
23 licensed chiropractor and thereafter proceed with a hearing on the matter under
24 chapter 28-32. A hearing under this section is not a closed meeting to the licensee to

1 the extent the records discussed or reviewed are records for which the licensee has a
2 medical release and is not closed to the complainant to the extent the records pertain
3 to the complainant. All hearings must be held in Bismarck unless the board and the
4 licensed chiropractor agree otherwise.