

2015 HOUSE INDUSTRY, BUSINESS AND LABOR

HB 1098

2015 HOUSE STANDING COMMITTEE MINUTES

Industry, Business and Labor Committee
Peace Garden Room, State Capitol

HB 1098
1/12/2015
21862

- Subcommittee
 Conference Committee

Ellen LeTang

Explanation or reason for introduction of bill/resolution:

Relating to the powers of the ND board of Podiatric medicine.

Minutes:

Attachments 1-3

Chairman Keiser: Opens the hearing on HB 1098.

JoDee Wiedmeier~Executive Director of the ND Board of Podiatric Medicine. (See Attachment 1).

(3:00)

Representative Becker: How are the boards members elected?

Wiedmeier: They are appointed by the governor.

Representative Lefor: How many complaints do you have on an annual basis.

Wiedmeier: Very few.

Representative Lefor: Why do you think you need subpoena power or do you already have that?

Wiedmeier: We do not have that.

Representative Devlin: Does the governor appoints the members for 5 year term?

Wiedmeier: Four year terms.

Representative Devlin: How can a board member be removed and who has the power to remove them?

Wiemeier: The statute does indicate that a board member can be removed if they miss two consecutive board meetings. Other than that, I would have to review the statute if the governor could rescind the appointment.

Stacy Moldenhauer~ND Board of Podiatric Medicine~(See Attachment 2)

(10:00)

Representative Becker: None of these refer to confidential conferences, are they able to hold confidential conferences?

Moldenhauer: Most of them deal with the confidential conferences and their ability to investigate.

Representative Amerman: If you want to subpoena a witness, what happens if they refuse?

Moldenhauer: Our subpoena power is regulated by the subpoena powers of the state of ND.

(12:07)

Representative Amerman: Is a subpoena issued before a board determines a violation or is it when you are with administrative log?

Moldenhauer: More than likely, the subpoena power is used for administrative log.

Representative Louser: If a patient files a complaint and is asked to provide more information and the board determines that information is necessary, is the complaint dismissed or do you proceed?

Moldenhauer: At the current time, because we don't have the subpoena power, we haven't run into that problem yet. Most patients are very cooperative. We have organizations that file and they have been more than cooperative but we have not had a single patient not be ok with it.

Representative Becker: I don't see the confidentiality in the board of dentistry or chiropractors. What nature is confidential is important?

Moldenhauer: It depends on what stage of the process you are at? Investigations stay confidential.

(16:20)

Chairman Keiser: Did I understand you to say that in medicine, it is the confidentiality is part of their statute.

Moldenhauer: Yes.

Chairman Keiser: It's not part of your statute, it's practice, but where is the protection for the board that the media cannot come to them and say, "it doesn't say it's confidential, therefore, you have to share it"? Where does that come from?

(16:52)

Moldenhauer: It's not here. That's what we are looking for. The reason we are here is the board is trying to clean up the action, give us protect and to let everyone know what the rules are.

Representative Laning: What are the differences between the bill in the 63rd session and this one?

Moldenhauer: The last bill had the power to hold preliminary hearing that we didn't put in this bill. We are trying to keep the board as neutral as possible; we don't want them to recuse themselves from the final vote. We have to have members present for those preliminary hearings. The subpoena power of this bill is generally the same as last time. The problem we ran into last time was the Human Services committee thought that we would be allowed to get the subpoena power from Attorney General's Office. We are not allowed to do that. There was a misunderstanding.

Representative Lefor: In the confidentiality, I assume that sometimes you may use a patient's health record as part of this process, so I have a two part question. What insures the patient that you're remaining compliance with HIPP and the second part is, once the hearing is adjudicated, what happens to that person's health record?

Moldenhauer: The ALJ office goes to the second part to the analysis. If we go to the hearing and the patient's record is used, the ALJ's office sends their entire file back to us. As to the HIPPA compliance, the board of podiatry is allowed to use patient records for their statute and is exempt.

Representative Frantsvog: How many complaints do you allow on an individual before you take his license?

Moldenhauer: It depends on the subject matter of the complaint.

(21:26)

Representative Frantsvog: Can you tell me how you treat a podiatrist from some other state?

Moldenhauer: There is a national data bank where all disciplinary actions are put.

Representative Amerman: If a complaint is filed against a podiatrist, you have you're subpoena powers, is there a time limit so this doesn't drag out?

Moldenhauer: There is not a time limit put in there. You can wait up to eight weeks to get records. If the physician wants it done quickly, they provide the documentation on their own. It's the practice to get them done as quickly as possible.

Chairman Keiser: Anyone here to testify in support of HB 1098, anyone in opposition. Closes the hearing on HB 1098. What are the wishes of the committee?

Representative Becker: Moves a do pass.

Vice Chairman Sukut: Second.

Representative Devlin: Has the intern found where you can remove a board member?

Brian Johnson~IBL Law Intern: (see attachment 3).

Representative Devlin: I reluctant the expanded subpoena powers when they never had a need for it. I'll oppose this bill.

Chairman Keiser: I was in a meeting by attorneys appointed by Attorney General, turns out that all the boards appointed in that manner and cannot be removed except for absenteeism.

Representative Laning: We are giving a great power to a small group of people; I don't look at this favorable.

Chairman Keiser: To criticize them because they are small is unfair, they were willing, it was the other boards not cooperating. They did agree, whether small or large to assess themselves to repay the loan and they have been paying. They are the board that protects the people and the state. I'm concerned if they don't have the power to do the job that we require them to do.

Representative Becker: I had the same thought; when you have a total membership of 35, with 4 on the board of the 35, there seems to be some concern of forming a good old boys club. It would be better rectified with a different makeup of the board. If there is going to be a board of podiatry, they need some form of policing.

Chairman Keiser: Further discussion? We have a motion for a Do Pass on HB 1098.

Roll call was taken with 12 yes, 3 no, 0 absent and Becker is the carrier.

Date: Jan 12, 2015

Roll Call Vote: 1

2015 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1098

House Industry, Business & Labor Committee

Subcommittee Conference Committee

Amendment LC# or Description: _____

Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations

Other Actions: Reconsider _____

Motion Made By Rep Becker Seconded By Rep Sukut

Representatives	Yes	No	Representatives	Yes	No
Chairman Keiser	✓		Representative Lefor	✓	
Vice Chairman Sukut	✓		Representative Louser	✓	
Representative Beadle	✓		Representative Ruby	✓	
Representative Becker	✓		Representative Amerman	✓	
Representative Devlin		✓	Representative Boschee	✓	
Representative Frantsvog	✓		Representative Hanson		✓
Representative Kasper		✓	Representative M Nelson	✓	
Representative Laning	✓				

Total (Yes) 12 No 3

Absent 0

Floor Assignment Representative Becker

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1098: Industry, Business and Labor Committee (Rep. Keiser, Chairman)
recommends **DO PASS** (12 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING).
HB 1098 was placed on the Eleventh order on the calendar.

2015 SENATE INDUSTRY, BUSINESS AND LABOR

HB 1098

2015 SENATE STANDING COMMITTEE MINUTES

Industry, Business and Labor Committee
Roosevelt Park Room, State Capitol

HB 1098
3/17/2015
Job Number 24949

- Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to the powers of the North Dakota board of podiatric medicine

Minutes:

Attachment

Chairman Klein: Opened the hearing.

Jodee S. Wiedmeier, Executive Director of the North Dakota Board of Podiatric Medicine: Written Testimony Attached (1). (:40-3:02)

Chairman Klein: Asked if they were just repeating on page 2 some of the things they already had on page 1?

Jodee S. Wiedmeier: Said the first one relates only to the podiatrist the rest would be other witnesses.

Senator Murphy: How long has the board been in existence?

Jodee S. Wiedmeier: I believe it was established in 1928.

Senator Murphy: So it's taken this long almost a hundred years to figure out it is not adequately worded.

Jodee S. Wiedmeier: Yes.

Stacy Moldenhauer, Attorney for the North Dakota Board of Podiatric Medicine: Written Testimony Attached (2) (4:20-10:10)

Senator Murphy: Asked if since 1928 they would have had to go into the district court system to initiate proceedings.

Stacy Moldenhauer: We are required to go through the administrative law judge before we could go to the district court. She went on to explain how the process would work. (10:20-11:34)

Senator Murphy: Would the committee be advised to consider this a matter of expediency for the board of podiatry in order to avoid going to the ALJ?

Stacy Moldenhauer: I could go to the ALJ and ask them to issue a subpoena but he would go back to the administrative code and say well I think as an ALJ I can step out of my boundaries and try to do that. (12:03-12:46)

Senator Murphy: It sounds like you are saying yes to my question that this allows you to do it in house much more than before.

Stacy Moldenhauer: Absolutely. (13:00-13:24)

Senator Miller: I was wondering about the amendment here, subsection 5. I see things in other sections of code that are similar like records are privileged but nothing that goes to this degree. I am concerned about that.

Stacy Moldenhauer: The reason we have those is sometimes we receive complaints that are not fully developed. They give general scenarios of what they are complaining about and we need to do further investigations to get that information. (14:10-15:42)

Senator Miller: The way the sentence is worded I worry that you're going to have a situation where the board is holding a confidential conference and the podiatrist has no idea what is going on and they could be leading the complainant to make accusations that may not have actually occurred and there is no representation from the other person and then no public oversight.

Stacy Moldenhauer: The aim of this statute is to provide confidential conferences with the complainant or the podiatrist. She continues with her testimony. (16:25-19:20)

Senator Miller: Said he was still hung up on section five a little bit.

Jodee S. Wiedmeier: Came up to explain how they work through the process. (21:45-23:33)

Chairman Klein: Do you get a lot of complaints in the office?

Jodee S. Wiedmeier: We get a few complaints a year and most of them are dismissed.

Chairman Klein: Closed the hearing.

2015 SENATE STANDING COMMITTEE MINUTES

Industry, Business and Labor Committee
Roosevelt Park Room, State Capitol

HB 1098
3/17/2015
Job Number 24993

- Subcommittee
 Conference Committee

Committee Clerk Signature

Eva Lebelt

Explanation or reason for introduction of bill/resolution:

Relating to the powers of the North Dakota board of podiatric medicine

Minutes:

No Attachment

Chairman Klein: This is the second bill we heard this morning and it deals with podiatrists.

Senator Miller: Moved a do pass.

Senator Sinner: Seconded the motion.

Chairman Klein: Called for any other discussion. The clerk will call the roll for a do pass.

Roll Call Vote: Yes-7 No-0 Absent-0

Senator Campbell will carry the bill.

**2015 SENATE STANDING COMMITTEE
 ROLL CALL VOTES
 HB 1098**

Senate Industry, Business and Labor Committee

Subcommittee

Amendment LC# or Description: _____

Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
 Other Actions: Reconsider _____

Motion Made By Senator Miller Seconded By Senator Sinner

Senators	Yes	No	Senators	Yes	No
Chairman Klein	x		Senator Murphy	x	
Vice Chairman Campbell	x		Senator Sinner	x	
Senator Burckhard	x				
Senator Miller	x				
Senator Poolman	x				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Senator Campbell

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1098: Industry, Business and Labor Committee (Sen. Klein, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1098 was placed on the Fourteenth order on the calendar.

2015 TESTIMONY

HB 1098

Jan 12, 2015

House Industry, Business, and Labor Committee

HB 1098

January 12, 2015

Testimony of JoDee S. Wiedmeier, Executive Director
North Dakota Board of Podiatric Medicine

Chairman Keiser and members of the House Industry, Business, and Labor Committee, my name is JoDee Wiedmeier, Executive Director of the North Dakota Board of Podiatric Medicine. By statute, the Board is responsible for regulating the practice of podiatry in North Dakota. On behalf of the board, which is composed of four podiatrists, one physician, and one public member from throughout the state, I speak in support of HB 1098.

HB 1098 would grant certain powers to the North Dakota Board of Podiatric Medicine for the investigation and prosecution of podiatrists licensed in North Dakota. These powers include the ability to subpoena witnesses, employ independent investigators, hold confidential conferences, and to issue a formal complaint against a podiatrist when a violation of a statute or rule is believed to have occurred.

The profession of podiatry is self-regulating. Therefore, the primary duty and obligation of the board is to protect the public. The board was created for this purpose. The board regulates podiatrists in North Dakota first by licensing them. This protects the public by making sure podiatrists treating the citizens of North Dakota are qualified to do so. The board then protects the public by making sure that podiatrists stay qualified by requiring continuing medical

education and by monitoring the compliance of such through its annual license renewal process. More to the point here, is that the board also protects the public by 'policing' the podiatrists it licenses. The board's duty to the public is to make sure that podiatrists granted a license to practice podiatry in North Dakota maintain the ethical and professional standards, statutes, rules and regulations that are required of them by North Dakota. The board may receive a complaint against a podiatrist from any citizen, patient, a patient's family member, governmental entity, other health care professional, a mandatory reporter, and the list goes on. The board takes care to thoroughly investigate each complaint and to prosecute those podiatrists that it believes have violated a statute or rule of the board. In order to do this properly, the board must be given the appropriate tools. These tools are provided to the board in HB 1098.

The board's Special Assistant Attorney General, Stacy Moldenhauer, will also be giving testimony today with more details on the legal necessity and ramifications of these powers for the investigation and prosecution of podiatrists.

In summary, the board is working hard to carry out its duty to protect the public. In order to do so, the board needs the powers set forth in HB 1098 and would request a 'do pass' recommendation from this committee.

Thank you. I would be happy to try to answer any questions.

Jan 12, 2015 2

House Industry, Business, and Labor Committee

HB 1098

January 12, 2015

Testimony of Stacy Moldenhauer, Attorney for
North Dakota Board of Podiatric Medicine

Chairman Keiser and members of the House Industry, Business and Labor Committee, my name is Stacy Moldenhauer, and I am here on behalf of the North Dakota Board of Podiatric Medicine. By statute, the Board of Podiatric Medicine is responsible for regulating the practice of podiatric medicine in the State of North Dakota. On behalf of the board, which is composed of four podiatrists, one physician and one public member from throughout the state, I speak in support of HB 1098.

As the Committee can see, House Bill 1098 is requesting section N.D.C.C. § 43-05-16.3 be amended to give the Board of Podiatric Medicine certain powers in investigating and prosecuting complaints. This section is necessary for the Board to adequately carry out its duties in regulating the practice of podiatric medicine in the State of North Dakota. When drafting this section, the Board used the Board of Medical Examiners statute (43-17.1-06) as a guide for formulating this section.

As the current attorney for the Board of Podiatric Medicine, I respectfully request that you pass this bill because it is essential for the Board to have these powers in order for it to be able to properly investigate and prosecute the complaints it receives. The powers the Board is requesting in this bill are not

different from powers one would normally see for Boards like the Board of Podiatric Medicine. The Board's goal with this bill is to clean up some of the statutes regarding the Board of Podiatric Medicine so that the Board can operate more effectively and more efficiently. The powers that are being requested in this bill are essential for the operation of the Board. For example, if you look at the first addition we are requesting to this section, the Board is requesting that it have the ability to subpoena witnesses relating to the practice of any podiatrist under investigation. Currently, the Board only has the ability to subpoena a podiatrist under investigation and his/her medical records relating to his/her practice. The Board does not have the ability to subpoena witnesses. This power is essential because if the Board needs to interview other individuals regarding a podiatrist that is under investigation, at the present time, the Board does not have authority to make those individuals talk to the Board. If those individuals refuse to cooperate with the Board, the Board's hands are really tied because they do not have the statutory authority to make them cooperate with us. This is very important because the Board's overall purpose is to regulate the practice of podiatrists and to protect the public. The Board cannot effectively do that without an ability to subpoena witnesses when necessary. As previously stated this power is not out of the ordinary for regulatory Board's like the Board of Podiatric Medicine. Attached to my testimony you will see a list of other Boards that have similar if not the same powers we are requesting be added to section N.D.C.C. § 43-05-16.3.

The other powers we are requesting be added to this statute really allow the Board to have some additional options when investigating complaints it

receives. For example, we are requesting that the Board be allowed to employ independent investigator when necessary. Some of you might be thinking why would a Board need to do this but the reality is when the Board receives a complaint about a podiatrist, depending upon the subject of the complaint it might be necessary to employ an independent investigator for the Board to get a true picture of what is going on. For example, if the Board were to receive a complaint about possible drug or alcohol abuse by a podiatrist, the Board might want to employ an independent investigator to gather more facts about the case prior to the Board making a decision about whether discipline is necessary. One might also need the use of an independent investigator if the Board receives a complaint regarding some questionable practices of the podiatrist and the Board might want to send an independent investigator in to see what is really going on with that podiatrist's practice so the Board can have a full picture of the podiatrist's practice before it makes a decision about whether a complaint for disciplinary action is necessary.

Third, the Board is requesting the ability to hold confidential conferences with a podiatrist or a complainant regarding any complaint. This power is again necessary for the Board to obtain additional information before it makes a decision on whether disciplinary action is necessary. Finally, the last section that would be added to this statute really just clarifies the Board's power to issue complaints if it believes a podiatrist has violated section 43-05-16. Section 43-05-16, allows the Board to impose disciplinary action against a podiatrist if the Board believes a violation has occurred but this power should really be included in Section 43-05-16.3 so all of the powers of the Board are clearly defined in one

statute. With that, I will close by saying thank you for your time and attention and I would be happy to try and answer any question you might have.

Thank you.

Similar Statutes

Board of Optometry: 43-13-24

- Power to compel production of testimony and witnesses.

Board of Chiropractors: 43-06-15(6)

- Power to subpoena and examine witnesses and records, including patient records, require chiropractor to submit to examination, give statements under oath.

Board of Engineers and Land Surveyors: 43-19.1-08

- Power to subpoena witnesses, compel witness's appearance, hold hearings, and employ attorneys, technical expert and clerks.

Board of Dentistry: 43-28-06

- Power to subpoena witnesses, employ and compensate investigative staff.

Board of Veterinaries: 43-29-15(2)

- Power to subpoena and examine witnesses and records including medical records.

Board of Psychologists: 43-32-27.1

- Power to subpoena and examine witnesses and records including patient and client records.

Board of Medical Examiners: 43-17.1-06

- Power to subpoena witnesses and employ independent investigators.

Board of Counselors: 43-47-08

- Power to subpoena and examine witnesses and records.

Board of Addiction Counselors: 43-45-04

- Power to issue subpoenas.

Board of Occupational Therapists: 43-40-05

- Power to issue subpoenas and examine witnesses.

43-05-03. Board of podiatric medicine - Appointment of members - Term of office - Qualifications - Vacancies - Duties - Quorum - Records.

The board of podiatric medicine consists of six persons appointed by the governor for a term of four years each with the terms of office so arranged that no more than two terms expire on the thirteenth day of June of any year. A member of the board may not serve for more than two successive terms. A member may not be reappointed to the board after serving two successive terms unless at least two years have elapsed since the member last served on the board. Four members of the board must hold doctor of podiatric medicine degrees and must have practiced podiatric medicine in this state for at least two years before their appointment, one member must be a doctor of medicine who holds a doctor of medicine degree and has practiced in this state for at least two years before the appointment, and one member, who is designated as a public member, must be a resident of this state, be at least twenty-one years of age, and may not be affiliated with any group or profession that provides or regulates health care in any form.

A member of the board shall qualify by taking the oath of office required of civil officers and shall hold office until a successor is appointed and qualified. The governor shall fill any vacancy by appointment for the unexpired term. The board may employ and compensate attorneys, investigative staff, clerical assistants, or others to assist in the performance of the duties of the board.

A majority of the board constitutes a quorum to transact business, make any determination, or take any action. The board shall keep a record of its proceedings and of applications for licenses. Applications and records must be preserved for at least six years beyond the disposition of the application or record or the last annual registration of the licensee, whichever is longer.

43-05-04. Meetings - When held - Officers.

The board shall hold an annual meeting and at that meeting shall elect from its members a president, vice president, and secretary-treasurer. The president of the board or any two members of the board may call a special meeting at any time if written notice of the meeting is given to all the members. At any special meeting at which a quorum is present a waiver of the notice of the meeting may be executed in lieu of the original notice. The officers shall perform such duties as the board prescribes. If a member of the board is absent from two consecutive regular or special meetings, the board may declare that member's position to be vacant. The governor shall fill all vacancies.

43-05-05. Secretary-treasurer - Bond - Allowance.

The secretary-treasurer of the board must be bonded for the faithful discharge of the duties of the office in the sum of not less than one thousand dollars. The secretary of the board shall receive such allowance for clerical and other expenses of the board as determined by the board.

43-05-06. Compensation of members of board.

Each member of the board shall receive fifty dollars per day for each day employed in the actual discharge of the duties of the board, and the member's necessary expenses. The mileage and travel expense allowed may not exceed the amount provided for in section 54-06-09.

43-05-07. Secretary-treasurer of board - Duties - Record - Reports.

The secretary-treasurer of the board shall have the following duties:

1. Keep a full record of the proceedings of the board.
2. Repealed by S.L. 1971, ch. 510, § 15.
3. At such times as may be required by the board, furnish a complete statement of receipts and disbursements under oath, together with vouchers, receipts, and such other evidence of the receipts and disbursements as may be required by the board.

Senate Industry, Business, and Labor Committee

HB 1098

March 17, 2015

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Senate Industry, Business, and Labor Committee

HB 1098

March 17, 2015

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Another example of when the Board would use this subpoena power is in a case where the Board needs to investigate a podiatrist's practice and therefore,

the Board needs to talk to the podiatrist's employees. If those employees are not willing to talk to the Board then the Board cannot effectively investigate the podiatrist. Thus, it is essential for the Board to have the subpoena power contained in this bill. Further, I should clarify that this subpoena power can only be used to subpoena witnesses relating to a podiatrist who is being investigated so it is not an unlimited power to subpoena anyone the Board wants to.

In addition, this subpoena power is the same subpoena power every attorney has at his/her disposal in private practice. It is governed by Rule 45 of the North Dakota Rules of Civil Procedure and can be enforced by the Court if an individual fails to comply with the subpoena. Just a brief explanation of the way a subpoena works is I would issue a subpoena on behalf of the Board that would either require the individual to appear or require them to produce documents requested in the subpoena. That individual then has the right to object to the subpoena and if they object to the subpoena they do not have to comply with it. If I want to force them to comply with the subpoena I have to file a motion to compel with the administrative law judge. If the ALJ signs an order compelling them to comply then that individual is required to comply with subpoena and if he/she does not then we have the right to have the Sheriff go and pick them up to force their compliance.

The other powers we are requesting be added to this statute really allow the Board to have some additional options when investigating complaints it receives. For example, we are requesting that the Board be allowed to employ independent investigator when necessary. Some of you might be thinking why would a Board need to do this but the reality is when the Board receives a

complaint about a podiatrist, depending upon the subject of the complaint it might be necessary to employ an independent investigator for the Board to get a true picture of what is going on. For example, if the Board were to receive a complaint about possible drug or alcohol abuse by a podiatrist, the Board might want to employ an independent investigator to gather more facts about the case prior to the Board making a decision about whether discipline is necessary. One might also need the use of an independent investigator if the Board receives a complaint regarding some questionable practices of the podiatrist and the Board might want to send an independent investigator in to see what is really going on with that podiatrist's practice so the Board can have a full picture of the podiatrist's practice before it makes a decision about whether a complaint for disciplinary action is necessary.

Third, the Board is requesting the ability to hold confidential conferences with a podiatrist or a complainant regarding any complaint. This power is again necessary for the Board to obtain additional information before it makes a decision on whether disciplinary action is necessary. Finally, the last section that would be added to this statute really just clarifies the Board's power to issue complaints if it believes a podiatrist has violated section 43-05-16. Section 43-05-16, allows the Board to impose disciplinary action against a podiatrist if the Board believes a violation has occurred but this power should really be included in Section 43-05-16.3 so all of the powers of the Board are clearly defined in one statute. With that, I will close by saying thank you for your time and attention and I would be happy to try and answer any question you might have.

Thank you.

Similar Statutes

Board of Optometry: 43-13-24

- Power to compel production of testimony and witnesses.

Board of Chiropractors: 43-06-15(6)

- Power to subpoena and examine witnesses and records, including patient records, require chiropractor to submit to examination, give statements under oath.

Board of Engineers and Land Surveyors: 43-19.1-08

- Power to subpoena witnesses, compel witness's appearance, hold hearings, and employ attorneys, technical expert and clerks.

Board of Dentistry: 43-28-06

- Power to subpoena witnesses, employ and compensate investigative staff.

Board of Veterinaries: 43-29-15(2)

- Power to subpoena and examine witnesses and records including medical records.

Board of Psychologists: 43-32-27.1

- Power to subpoena and examine witnesses and records including patient and client records.

Board of Medical Examiners: 43-17.1-06

- Power to subpoena witnesses and employ independent investigators.

Board of Counselors: 43-47-08

- Power to subpoena and examine witnesses and records.

Board of Addiction Counselors: 43-45-04

- Power to issue subpoenas.

Board of Occupational Therapists: 43-40-05

- Power to issue subpoenas and examine witnesses.