



North Dakota Hospital Association

Vision

The North Dakota Hospital Association will take an active leadership role in major Healthcare issues.

Mission

The North Dakota Hospital Association exists to advance the health status of persons served by the membership.

**Testimony
Administrative Rules Committee
March 10, 2011**

Good afternoon Chairman Klein and Members of the Administrative Rules Committee. I am Jerry Jurena, President of the North Dakota Hospital Association. I am here today to question the Definition Number 28; "Letter of Concern", on page 225 in your packet of the Nurse Practice Act.

Since Monday I have had three people bring this Definition to my attention as a punitive action based on the individual "...may have been engaged in conduct that is unacceptable-or considered low risk of harm to the public". Within the Definition there is no process for an appeal. After reading through the definition I am not clear as to the intent of this definition; I believe if left as is this "Letter of Concern" could cause harm or create a question in the future of the ability or professionalism of the individual receiving the letter based on "may have".

I believe if an individual is to receive a "Letter Of Concern" that they should have an opportunity to an appeal process. There should be an investigation with evidence or proof of the alleged incident or concern with verifiable proof; did it or did it not happen. Due Process is missing from this added Definition.

I am in opposition of using this new Definition without adding an appeal process and verifying the incident actually occurred before a "Letter of Concern" is sent. Sending a Letter based on "may have been engaged in..." is not a fair process.

Jerry E. Jurena, President
North Dakota Hospital Association