

Kasper, Jim M.

From: ND Board of Chiropractic Examiners <contact@ndsbce.org>
Sent: Tuesday, March 9, 2021 8:08 AM
To: Kasper, Jim M.; Lefor, Mike
Subject: Follow-up from ND Board of Chiropractic Examiners Sexual Impropriety
Attachments: 2021 Title 17.pdf

Importance: Low

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Representative Kasper & Chairman Lefor,

Dr. Ficek asked that I pass along the information regarding Sexual Impropriety that Representative Kasper requested during the hearing for SB2060 yesterday morning.

We believe that the question asked is covered between the Administrative Rules adopted by the Board and the Century Code.

The ND Administrative Code, Title 17, (Dr. Ficek read this section) under Unprofessional Conduct.

17-03-01-01 Unprofessional Conduct

The Board may revoke, suspend, or deny a license to any person otherwise qualified or licensed by the board who is found to have committed unprofessional conduct. Unprofessional conduct includes, but is not limited to, the following:
(22) Initiating or engaging in any sexual conduct, sexual activities, or sexualizing behavior involving a current patient, even if the patient attempts to sexualize the relationship, except when the patient is the chiropractor's spouse or significant other.

The ND Century Code 43-06-15 Grounds for Revocation or Suspension of license or other action of the board – Sworn Statement-Investigation-Hearing.

1. The board may revoke, suspend, or take such other action as provided in this section regarding the license of any chiropractor in this state who:
(l.) Has committed any violation of the provisions of this chapter and the code of ethics **or rules as adopted by the board**, including failure to submit for physical or mental examination or to provide information as required by the board.

The due process for the complaint, investigation, and action will be exactly as Dr. Ficek described during his testimony, which is listed in the Century Code 43-06-15: #2 - #11

I have attached a PDF version of ND Administrative Code Title 17 for your reference, if needed.

If you have any additional follow-up questions, please contact me and I will do my best to provide a response.

-Lisa Blanchard

Sincerely,
Lisa Blanchard, Executive Director
ND Board of Chiropractic Examiners

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