

SENATE BILL NO. 2076

Introduced by

Industry, Business and Labor Committee

(At the request of the State Board of Social Work Examiners)

1 A BILL for an Act to amend and reenact section 44-04-18.1 of the North Dakota Century Code,
2 relating to confidentiality of personal information maintained by occupational and professional
3 boards.

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

5 **SECTION 1. AMENDMENT.** Section 44-04-18.1 of the 1997 Supplement to the North
6 Dakota Century Code is amended and reenacted as follows:

7 **44-04-18.1. Public employee personal, medical, and employee assistance records**
8 **- Confidentiality - Personal information maintained by professional boards.**

9 1. Any record of a public employee's medical treatment or use of an employee
10 assistance program is not to become part of that employee's personnel record and
11 is confidential and may not be released without the written consent of the
12 employee. As used in this section, the term "public employee" includes any person
13 employed by a public entity.

14 2. Except as otherwise specifically provided by law, personal information regarding a
15 public employee contained in an employee's personnel record or given to the state
16 or a political subdivision by the employee in the course of employment is exempt.
17 As used in this section, "personal information" means a person's home address;
18 home telephone number; photograph; medical information; motor vehicle
19 operator's identification number; social security number; payroll deduction
20 information; the name, address, phone number, date of birth, and social security
21 number of any dependent or emergency contact; any credit, debit, or electronic
22 fund transfer card number; and any account number at a bank or other financial
23 institution.

- 1 3. Nonconfidential information contained in a personnel record of an employee of a
2 public entity as defined in subdivision c of subsection 12 of section 44-04-17.1 is
3 exempt.
- 4 4. Except as otherwise specifically provided by law, personal information regarding a
5 licensee maintained by an occupational or professional board, association, or
6 commission created by law is exempt. As used in this section, "licensee" means
7 an individual who has applied for, holds, or has held in the past an occupational or
8 professional license, certificate, permit, or registration issued by a state
9 occupational or professional board, association, or commission.