

SENATE BILL NO. 2432

Introduced by

Senators Christenson, Kelsh, O'Connell

Representatives Aarsvold, Ekstrom, Winrich

1 A BILL for an Act to amend and reenact section 65-05-32 of the North Dakota Century Code,
2 relating to privacy of workers' compensation records and hearings.

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

4 **SECTION 1. AMENDMENT.** Section 65-05-32 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **65-05-32. Privacy of records and hearings.** Information contained in the claim files
7 and records of injured employees is confidential and is not open to public inspection, other than
8 to bureau employees or agents in the performance of their official duties. Providing further that:

- 9 1. Representatives of a claimant, whether an individual or an organization, may
10 review a claim file or receive specific information from the file upon the
11 presentation of the signed authorization of the claimant. However, reserve
12 information may not be made available to the claimant or the claimant's
13 representatives. Availability of this information to employers is subject to the sole
14 discretion of the bureau.
- 15 2. Employers or their duly authorized representatives may review and have access to
16 any files of their own injured workers.
- 17 3. Physicians or health care providers treating or examining workers claiming benefits
18 under this title, or physicians giving medical advice to the bureau regarding any
19 claim may, at the discretion of the bureau, inspect the claim files and records of
20 injured workers.
- 21 4. ~~Other persons may have access to and make inspections of the files, if such~~
22 ~~persons are rendering assistance to the bureau at any stage of the proceedings on~~
23 ~~any matter pertaining to the administration of this title.~~

- 1 5- The claimant's name; ~~social security number~~; date of birth; injury date; employer
2 name; type of injury; whether the claim is accepted, denied, or pending; and
3 whether the claim is in active or inactive pay status will be available to the public.
4 This information may not be released in aggregate form, except to those persons
5 contracting with the bureau for exchange of information pertaining to the
6 administration of this title or except upon written authorization by the claimant for a
7 specified purpose. Information concerning claimants' names and addresses may
8 be released in aggregate form to claimant interest groups approved by the board.
9 6- 5. At the request of a claimant, the bureau may close the medical portion of a hearing
10 to the public.