

Introduced by

Representatives D. Ruby, Kasper, Koppelman, Prichard, Tveit, Weisz

Senators Estenson, Larsen

1 A BILL for an Act to amend and reenact subsection 7 of section 43-06-14.1 and subsection 7 of  
2 section 43-06-15 of the North Dakota Century Code, relating to disciplinary proceedings of the  
3 state board of chiropractic examiners.

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

5 **SECTION 1. AMENDMENT.** Subsection 7 of section 43-06-14.1 of the North Dakota  
6 Century Code is amended and reenacted as follows:

7 7. All data and information, including patient records acquired by the board or the peer  
8 review committee, in the exercise of its duties and functions, are confidential and  
9 closed to the public. This subsection does not limit a licensee from accessing records  
10 affecting the licensee or limit a complainant from accessing records that pertain to the  
11 complainant. All board and peer review committee meetings ~~wherein~~ at which patient  
12 testimony or records are taken or reviewed are confidential and closed to the public.  
13 However, a board or peer review meeting at which patient records are taken or  
14 reviewed is not closed to the licensee and is not closed to the complainant to the  
15 extent the records taken or reviewed pertain to the complainant.

16 **SECTION 2. AMENDMENT.** Subsection 7 of section 43-06-15 of the North Dakota Century  
17 Code is amended and reenacted as follows:

18 7. If, based on the investigation or report from a peer review committee, the board has  
19 reasonable cause to believe there is a basis for further proceedings, the board shall  
20 prepare a complaint and serve the complaint, along with a notice of hearing, on the  
21 licensed chiropractor and thereafter proceed with a hearing on the matter under  
22 chapter 28-32. A hearing under this section is not a closed meeting to the licensee and  
23 is not closed to the complainant to the extent the records pertain to the complainant.

Sixty-eighth  
Legislative Assembly

- 1 All hearings must be held in Bismarck unless the board and the licensed chiropractor
- 2 agree otherwise.