

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 related to a complaint against the licensee or limit a complainant from  
11  accessing records that pertain to the complainant related to a complaint filed by the  
12  complainant. All board and peer review committee meetings ~~wherein~~ at which patient  
13 testimony or records are taken or reviewed are confidential and closed to the public.  
14 However, a board or peer review meeting at which patient records are taken or  
15  reviewed is not closed to the licensee and is not closed to the complainant to the  
16  extent the records taken or reviewed pertain to the complainant.

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

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

- 1 | complainantare related to a complaint filed by the complainant. All hearings must be
- 2 | held in Bismarck unless the board and the licensed chiropractor agree otherwise.