CHAPTER 50-01-03
RECORD RETENTION

Section
50-01-03-01 Record Retention

50-01-03-01. Record retention.

1. A licensee shall retain all medical records unless otherwise appropriately transferred to another licensee or entity, for at least seven years from the last date of service for each patient, except as otherwise required by law.

2. Beginning January 1, 2024, a licensee shall appoint another North Dakota licensee or other representative or entity, to ensure that all requirements of this section are met in the event of the licensee's death or incapacitation. Upon request by the board, the licensee shall show proof of appointment of a representative.

3. Upon a licensee's death or retirement, the sale of a medical practice, or a licensee's departure from the licensee's medical practice:

   a. The licensee or the licensee's representative shall ensure all medical records are transferred to another licensee or entity that is held to the same standards of confidentiality and agrees to act as custodian of the records.

   b. The licensee or the licensee's representative shall notify all active patients that the patient's records will be transferred to another licensee or entity that will retain custody of the patient's records and that, at the patient's written request, the records will be sent to the patient, licensee, or entity of the patient's choice.

   c. The licensee or the licensee's representative shall notify the board of the location and contact information of the custodian of the records which may be provided to a patient requesting such information.

History: Effective April 1, 2024.
General Authority: NDCC 43-17-07.1(10)
Law Implemented: NDCC 43-17-27.2