

HOUSE BILL NO. 1086

Introduced by

Human Services Committee

(At the request of the Board of Podiatric Medicine)

1 A BILL for an Act to create and enact a new section to chapter 43-05 of the North Dakota
2 Century Code, relating to the powers of the board of podiatric medicine in investigating and
3 prosecuting complaints.

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

5 **SECTION 1.** A new section to chapter 43-05 of the North Dakota Century Code is created
6 and enacted as follows:

7 **Powers of the board.**

8 The board may:

- 9 1. Subpoena witnesses and podiatrists and hospital records relating to the practice of
10 any podiatrist under investigation. The confidentiality of peer review records under
11 chapter 23-34 or by any other statute or law does not affect the subpoena nor the
12 admissibility of the records in board proceedings.
- 13 2. Hold preliminary hearings.
- 14 3. Upon probable cause, require any podiatrist under investigation to submit to a
15 physical, psychiatric, or competency examination or chemical dependency evaluation.
- 16 4. Appoint special masters to conduct preliminary hearings.
- 17 5. Employ independent investigators when necessary.
- 18 6. Hold confidential conferences with any complainant or podiatrist with respect to any
19 complaint.
- 20 7. File a formal complaint against any licensed podiatrist with the board of podiatric
21 medicine.