Sixty-fourth Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2015

SENATE BILL NO. 2121
(Senator Anderson)
(Representative Dockter)

AN ACT to amend and reenact section 23-34-01 of the North Dakota Century Code, relating to medical peer review records.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 23-34-01 of the North Dakota Century Code is amended and reenacted as follows:

23-34-01. Definitions.

As used in this chapter:

1. "Health care organization" means:

   a. A hospital;

   b. A hospital medical staff;

   c. A clinic;

   d. A long-term or extended care facility;

   e. An ambulatory surgery center;

   f. An emergency medical services unit;

   g. A physician;

   h. A group of physicians operating a clinic or outpatient care facility;

   i. A pharmacist;

   j. A pharmacy;

   k. An association or organization, whether domestic or foreign, of medical institutions or medical professionals;

   ~~j.~~l. A nonprofit corporation, whether domestic or foreign, that owns, operates, or is established by any entity set forth in subdivisions a through i;

   ~~k.~~m. Any combination of entities set forth in subdivisions a through j; or

   ~~l.~~n. Any federally designated state peer review organization.

2. "Health care provider" means a physician or other person licensed, certified, or otherwise authorized by the law of this state to provide health care services.

3. "Peer review organization" means:

   a. A health care organization; or

   b. A committee of a health care organization which:

(1) Is composed of health care providers, employees, administrators, consultants, agents, or members of the health care organization's governing body; and

(2) Conducts professional peer review.

4. a. "Peer review records" means:

(1) Data, information, reports, documents, findings, compilations and summaries, testimony, and any other records generated by, acquired by, or given to a peer review organization as a part of any professional peer review, regardless of when the record was created; and

(2) Communications relating to a professional peer review, whether written or oral, between:

(a) Peer review organization members;

(b) Peer review organization members and the peer review organization's staff; or

(c) Peer review organization members and other persons participating in a professional peer review, including the person who is the subject of the professional peer review.

b. The term does not include original patient source documents.

5. "Professional peer review" means all procedures a peer review organization uses or functions it performs to monitor, evaluate, and take action to review the medical care provided to patients by health care organizations or health care providers and includes procedures or functions to:

a. Evaluate and improve the quality of health care;

b. Obtain and disseminate data and statistics relative to the treatment and prevention of disease, illness, or injury;

c. Develop and establish guidelines for medical care and the costs of medical care;

d. Provide to other affiliated or nonaffiliated peer review organizations information that is originally generated within the peer review organization for the purposes of professional peer review;

e. Identify or analyze trends in medical error, using among other things a standardized incident reporting system; and

f. Provide quality assurance.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-fourth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2121.

Senate Vote:	Yeas 47	Nays 0	Absent 0
House Vote:	Yeas 86	Nays 0	Absent 8

Secretary of the Senate

Received by the Governor at 4:40 P.M. on April 6, 2015.

Approved at 10:45 A.M. on April 8, 2015.

Governor

Filed in this office this 8th day of April, 2015,

at 3:36 o'clock P M.

Secretary of State