

SENATE BILL NO. 2345

Introduced by

Senators Nalewaja, Christmann, Kelsh

Representatives Aarsvold, Delmore, R. Kelsch

1 A BILL for an Act to create and enact a new section to chapter 50-11.1 of the North Dakota
2 Century Code, relating to the public access to information regarding providers of early
3 childhood services; to provide for application; and to provide an effective date.

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

5 **SECTION 1.** A new section to chapter 50-11.1 of the North Dakota Century Code is
6 created and enacted as follows:

7 **Access to provider information - Exceptions.**

- 8 1. The county agency of each county shall maintain the following information on each
9 provider of early childhood services licensed by the county under this chapter:
- 10 a. Name, address, and telephone number;
 - 11 b. Name and relationship of other family members;
 - 12 c. Type of dwelling;
 - 13 d. Licensed capacity;
 - 14 e. Class of license;
 - 15 f. Previous license history;
 - 16 g. Years of experience as licensed provider;
 - 17 h. Variances granted;
 - 18 i. Carecheck registry placement, if any, under section 50-11.1-06.2;
 - 19 j. Existence, substance, and status of any complaint;
 - 20 k. Findings of any investigation of a complaint;
 - 21 l. The record of any informal resolution of a licensing violation;
 - 22 m. Any correction order, denial, revocation, suspension, or injunction issued as a
23 result of a complaint; and

- 1 n. Orders of hearing, findings of fact, conclusions of law, and specifications of
2 the final disciplinary action contained in the record of disciplinary action.
- 3 2. The following information on providers and other individuals is confidential:
- 4 a. Personal financial data on a provider and any family member who provides
5 services under the provider's license;
- 6 b. Details regarding any child abuse and neglect assessment; and
- 7 c. The identity of persons who have made reports concerning providers which
8 appear in investigative data.
- 9 3. All records of a county agency regarding a provider, except information made
10 confidential under subsection 2 or other law, must be maintained in a separate file
11 and must be disclosed immediately upon request.

12 **SECTION 2. APPLICATION.** This Act applies only to the records of a provider who
13 applies for licensure or renewal of licensure after the effective date of this Act.

14 **SECTION 3. EFFECTIVE DATE.** This Act becomes effective on January 1, 1998.