

TITLE 3: HUMAN RESOURCES
DIVISION 2: HEALTH

§ 2234. National and Interstate Data Banks.

(a) Reporting to the Board.

(1) Each licensee and each person in the Commonwealth employing a licensee, including the Commonwealth Health Center and its successors and assigns, shall report to the Board:

(i) Information which it receives relating to the professional competence and conduct of a health care professional regulated pursuant to this chapter. In particular it shall report negative information;

(ii) A professional review action that adversely affects the clinical privileges of a health care professional for a period of more than 30 days; and

(iii) Acceptance of the surrender of clinical privileges, or any restriction of such privileges, of a health care professional.

(2) The Board shall provide a form for such reports.

(3) The report shall be made within thirty-five days of receipt of the information by the person or by a management-level individual.

(b) Reporting to national and interstate data banks.

(1) The Board shall report adverse health care professional information to the National Practitioner Data Bank ("NPDB"), the Federation of State Medical Boards ("FSMB"), to the appropriate government health agency having jurisdiction over a foreign-licensed or otherwise regulated health care professional, and such other interstate or national health professional data bank as it shall by regulation determine, within thirty-five days following its receipt of the information. The Board shall maintain its membership in such organizations in order to retain the benefits of access to the data.

(2) The information to be reported shall include:

(i) Discipline of a regulated health care professional described by, or undertaken pursuant to, this chapter, and without regard to whether the action of the disciplining entity has been stayed by a reviewing court;

(ii) A professional review action that adversely affects the clinical privileges of a health care professional for a period of more than 30 days; and

(iii) Acceptance of the surrender of clinical privileges or any restriction of such privileges of a health care professional.

(c) Securing information.

(1) The Board shall secure for each person subject to regulation reportable information at the following times:

(i) When a health care professional applies for a license;

(ii) Every two years, typically in advance of license renewal; and

(iii) Whenever the Board determines such information would be reasonably required.

(2) The Board shall provide by regulation for each professional's payment of the costs and fees for such reports.

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(3) The Board may provide such information to a requesting person on such terms as it shall set by regulation. Such regulation must comply with the terms and conditions for confidentiality of the NPDB, FSMB or other such entity.

(4) The Board shall otherwise conduct itself with due regard for confidentiality.

Source: PL 15-105, § 3(2234), modified.

Commission Comment: The Commission deleted figures in the above section that repeated written words pursuant to 1 CMC § 3806(e).