



Bill Number: H.B. 2545

## **REVISED** Allen C Floor Amendment

Reference to: House engrossed bill

Amendment drafted by: Legislative Council – Cav Smith

### **REVISED FLOOR AMENDMENT EXPLANATION**

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- **Asserts that records of dismissed complaints, nondisciplinary orders and nondisciplinary actions that are maintained or issued by a health or a nonhealth regulatory board are available to the board and the public at all times but may not appear on the board’s website.**
- **States that documentation of an advisory letter, a letter of concern or a practice limitation is available to the board and the public at all times and may appear on the board’s website, regardless of whether the board classifies the action as disciplinary or nondisciplinary.**
- **Specifies that if a board maintains a website, the website must display a statement indicating that a person may obtain additional public records relating to any licensee or certificate holder by contacting the board directly.**
- **Requires health and nonhealth regulatory boards to comply with the bill’s requirements by January 1, 2012.**

Amendment explanation prepared by Eden Rolland

4/9/2010

ALLEN C FLOOR AMENDMENT  
SENATE AMENDMENTS TO H.B. 2545  
(Reference to House engrossed bill)

1 Page 1, line 4, strike "Dismissed complaint" insert "Board actions"; after  
2 "records" insert "; website; compliance deadline"

3 Line 6, strike "IS NOT AVAILABLE TO THE PUBLIC BUT"

4 Line 7, after "BOARD" insert "AND THE PUBLIC AT ALL TIMES BUT MAY NOT APPEAR ON  
5 THE BOARD'S WEBSITE"

6 Line 9, after "ORDER" insert "OR ACTION"

7 Strike lines 10 and 11, insert:

8 "B. IF A HEALTH PROFESSION REGULATORY BOARD ISSUES A NONDISCIPLINARY  
9 ORDER OR ACTION AGAINST A LICENSEE OR CERTIFICATE HOLDER, THE RECORD OF THE  
10 NONDISCIPLINARY ORDER OR ACTION IS AVAILABLE TO THAT BOARD AND THE PUBLIC AT  
11 ALL TIMES BUT MAY NOT APPEAR ON THE BOARD'S WEBSITE.

12 C. IF A HEALTH PROFESSION REGULATORY BOARD ISSUES AN ADVISORY LETTER  
13 OR LETTER OF CONCERN OR IMPOSES A PRACTICE LIMITATION, DOCUMENTATION OF THAT  
14 ACTION IS AVAILABLE TO THAT BOARD AND THE PUBLIC AT ALL TIMES AND MAY APPEAR  
15 ON THE BOARD'S WEBSITE, REGARDLESS OF WHETHER THE BOARD DEFINES THE ACTION AS  
16 A DISCIPLINARY OR NONDISCIPLINARY ACTION.

17 D. IF A HEALTH PROFESSION REGULATORY BOARD MAINTAINS A WEBSITE, THE  
18 BOARD MUST DISPLAY ON ITS WEBSITE A STATEMENT THAT A PERSON MAY OBTAIN  
19 ADDITIONAL PUBLIC RECORDS RELATED TO ANY LICENSEE OR CERTIFICATE HOLDER,  
20 INCLUDING DISMISSED COMPLAINTS AND NONDISCIPLINARY ACTIONS AND ORDERS, BY  
21 CONTACTING THE BOARD DIRECTLY.

22 E. THIS SECTION DOES NOT PROHIBIT A HEALTH PROFESSION REGULATORY BOARD  
23 FROM CONDUCTING ITS AUTHORIZED DUTIES IN A PUBLIC MEETING.

24 F. A HEALTH PROFESSION REGULATORY BOARD MUST COMPLY WITH THE  
25 REQUIREMENTS OF THIS SECTION ON OR BEFORE JANUARY 1, 2012."

26 Line 14, strike "Dismissed complaint" insert "Board actions"; after "records"  
27 insert "; website; compliance deadline"

28 Page 1, line 16, strike "IS NOT AVAILABLE TO THE PUBLIC BUT"

1 Line 17, after "BOARD" insert "AND THE PUBLIC AT ALL TIMES BUT MAY NOT APPEAR ON  
2 THE BOARD'S WEBSITE"

3 Line 19, after "ORDER" insert "OR ACTION"

4 Strike lines 20 and 21, insert:

5 "B. IF A NONHEALTH PROFESSION REGULATORY BOARD ISSUES A  
6 NONDISCIPLINARY ORDER OR ACTION AGAINST A LICENSEE OR CERTIFICATE HOLDER, THE  
7 RECORD OF THE NONDISCIPLINARY ORDER OR ACTION IS AVAILABLE TO THAT BOARD AND  
8 THE PUBLIC AT ALL TIMES BUT MAY NOT APPEAR ON THE BOARD'S WEBSITE.

9 C. IF A NONHEALTH PROFESSION REGULATORY BOARD ISSUES AN ADVISORY  
10 LETTER OR LETTER OF CONCERN OR IMPOSES A PRACTICE LIMITATION, DOCUMENTATION  
11 OF THAT ACTION IS AVAILABLE TO THAT BOARD AND THE PUBLIC AT ALL TIMES AND MAY  
12 APPEAR ON THE BOARD'S WEBSITE, REGARDLESS OF WHETHER THE BOARD DEFINES THE  
13 ACTION AS A DISCIPLINARY OR NONDISCIPLINARY ACTION.

14 D. IF A NONHEALTH PROFESSION REGULATORY BOARD MAINTAINS A WEBSITE, THE  
15 BOARD MUST DISPLAY ON ITS WEBSITE A STATEMENT THAT A PERSON MAY OBTAIN  
16 ADDITIONAL PUBLIC RECORDS RELATED TO ANY LICENSEE OR CERTIFICATE HOLDER,  
17 INCLUDING DISMISSED COMPLAINTS AND NONDISCIPLINARY ACTIONS AND ORDERS, BY  
18 CONTACTING THE BOARD DIRECTLY.

19 E. THIS SECTION DOES NOT PROHIBIT A NONHEALTH PROFESSION REGULATORY  
20 BOARD FROM CONDUCTING ITS AUTHORIZED DUTIES IN A PUBLIC MEETING.

21 F. A NONHEALTH PROFESSION REGULATORY BOARD MUST COMPLY WITH THE  
22 REQUIREMENTS OF THIS SECTION ON OR BEFORE JANUARY 1, 2012."

23 Amend title to conform

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