

§3294. Confidential information provided to professional and occupational licensing boards

If confidential information regarding a person subject to or seeking licensure, certification or registration by a licensing board indicates that the person may have engaged in unlawful activity, professional misconduct or conduct that may be in violation of the laws or rules relating to the licensing board, the director may release this information to the appropriate licensing board. Confidential information must be disclosed and used in accordance with section 3292 and may also be disclosed to members, employees and agents of a licensing board who are directly related to the matter at issue. [PL 2023, c. 637, §4 (AMD).]

1. Notice to the licensee or applicant. Notice of the release of confidential information must be provided by the board to the licensee or applicant in accordance with the law and rules relating to the licensing board. If the law or rules relating to a licensing board do not provide for notice to licensees or applicants subject to or seeking licensure, certification or registration, the licensing board shall provide notice to the licensee or applicant upon determination of the board to take further action following its investigation. [PL 2023, c. 637, §4 (AMD).]

2. Licensing board requests for confidential information. Any licensing board pursuing action within the scope of the board's authority or conducting an investigation of any person subject to or seeking licensure, certification or registration by the board for engaging in unlawful activity, professional misconduct or conduct that may be in violation of the laws or rules relating to the board may request confidential information from the bureau. Any information provided to the board for an investigation is governed by section 3292 and this section. [PL 2023, c. 637, §4 (AMD).]

3. Use of confidential information in proceedings and investigations. The use of confidential information in proceedings, informal conferences and adjudicatory hearings is governed by Title 5, section 9057, subsection 6. The use of confidential information in investigations is governed by Title 10, section 8003-B, subsection 2, paragraph G as long as any confidential information disclosed under that paragraph is not further disclosed by any person for purposes other than an investigation by a licensing board. [PL 2023, c. 637, §4 (AMD).]

SECTION HISTORY

PL 1987, c. 714, §2 (NEW). PL 2023, c. 637, §4 (AMD).

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