

201 KAR 21:075. Peer review committee procedures and fees.

RELATES TO: KRS 312.200

STATUTORY AUTHORITY: KRS 312.015, 312.019, 312.200

NECESSITY, FUNCTION, AND CONFORMITY: KRS 312.200 requires the board to appoint a peer review committee and establish procedures and fees for the review of submitted claims. This administrative regulation establishes fees and procedures pertaining to the peer review committee.

Section 1. Procedures and Fees of Peer Review Committee. (1) Peer review shall not take place until the patient has submitted a release permitting photocopies of the applicable treatment or billing records prepared by the chiropractor in the regular course of business.

(a) Treatment records shall not be released for peer review without the patient's authorization.

(b) The acceptance of, or the request for, payment by a chiropractor shall constitute the consent of the chiropractor to the submission of all necessary records and other information concerning the treatment or the cost to the peer review committee.

(c) Six (6) copies of all records or other data shall be submitted to the committee.

(2)(a) Each claim shall be assigned to an individual member of the committee who shall review the submitted records and response from the charged party and report his findings to the full committee, which shall review the findings and either adopt those findings or modify them as determined by majority vote.

(b) A copy of the findings shall be forwarded to the board, the patient, the chiropractor, and insurer or other third party payor.

(3)(a) The peer review committee shall elect a chair.

(b) The committee may recommend for the board's approval a contract with or employment of third parties to perform administrative functions or to aid in obtaining records necessary for appropriate review of claims.

(c)1. The peer review committee shall recommend to the board that a complaint be filed against a chiropractor if it appears from the review of a claim that reasonable cause exists to believe that the chiropractor has violated any portion of KRS Chapter 312 or 201 KAR Chapter 21 for which a chiropractor may be disciplined.

2. The peer review committee shall transmit all complaint information the committee possesses to the board.

(4)(a) A chiropractor, insurer, or other third party payor requesting review shall submit with the request a service fee of fifty (50) dollars payable to "B.C.E. Peer Review."

(b) An additional fee shall be charged for claims requiring more than one (1) hour of review by the committee calculated at fifty (50) dollars per hour, which sum shall be due prior to the delivery of committee findings to all parties.

(c) All fees shall be paid by the chiropractor, insurer, or other third party payor requesting the review.

(5) Each member of the peer review committee shall comply with the requirements and standards established in 201 KAR 21:095.

Section 2. Annual Report. (1) An annual summary of the findings of the peer review committee shall be prepared by the committee and submitted to the board.

(2) The report shall be made available to interested persons upon request and upon payment of the cost of reproduction.

(3) A report or summary submitted to the public by the board shall not disclose the name or

identity of any patient without the patient's consent. (16 Ky.R. 94; Am. 345; 535; eff. 10-8-1989; 40 Ky.R. 1417; 2123; eff. 3-20-2014.)