

CHAPTER 811 DIVISION 10

Peer Review

811-010-0095 (1) The Board of Chiropractic Examiners shall appoint and form committees for Peer Review in accordance with ORS 684.185.

_____ (2) Definitions:

_____ (a) "Peer ~~r~~Review" means the evaluation of the efficacy and appropriateness of health-care ~~and~~ services provided to a patient based on: ~~those~~ standards of care, skill and treatment which are recognized as being reasonable, prudent and acceptable ~~under similar conditions and circumstances by Oregon chiropractors;~~

_____ (b) The ~~Board's current Oregon~~ Practice and Utilization Guidelines ~~(NMS) as published in 1991,~~ may be used as a ~~guide resource~~ to assist the Board and ~~P~~peer ~~R~~review ~~C~~committee.

_____ (c) ~~A "p~~Peer ~~r~~Review ~~c~~Committee" ~~means is~~ a committee of seven Chiropractic physicians, licensed under ORS Chapter 684, who qualify under ORS 684.185(2). Each ~~p~~Peer ~~r~~Review ~~C~~committee may include ~~two non-voting alternate observation~~ members appointed by the ~~B~~oard. ~~Alternate members may participate in all capacities except for voting. The committee chair may appoint an alternate to temporarily replace an absent voting member.~~ Four ~~voting~~ members present at any meeting shall constitute a quorum, and allow the ~~p~~Peer ~~r~~Review ~~c~~Committee to carry out its business.

_____ (3) Peer ~~r~~Review will occur upon submission of a request for review by ~~a patient, the patient's representative, insurer, or health care provider, made in writing to~~ the Board, ~~and submitted with sufficient so that the Board would find the case to be appropriate for a Peer Review investigation. Such information would include, where available, chart notes and written reports of the physician, bills, invoices, and insurance claim forms, statements of witnesses and complainants, and any previous correspondence between the physician and any other relevant person.~~

_____ (4) The ~~P~~peer ~~R~~review ~~C~~committee may request an ~~informal~~ interview with any person, including the ~~Chiropractic~~ physician being reviewed and, when appropriate, may request the opinion of other health care providers for reviews involving a particular area of practice, ~~or specialty.~~

_____ (5) ~~(A)~~ Any member of the ~~P~~peer ~~R~~review ~~C~~committee ~~shall may~~ withdraw from any ~~investigation review~~ which ~~concerns~~ ~~presents a perceived or actual conflict of interest for that member. a close personal and/or professional involvement or association with~~ the physician under review, patient, patient's representative, or insurer; lack of impartiality; or if the member is in professional competition in the community with the reviewed doctor. ~~Any member who cannot be impartial may be withdrawn from participation by the committee chair or the Board.~~

_____ ~~(B)~~ The ~~doctor~~ ~~Chiropractic physician~~ being reviewed may protest ~~being the involvement of a~~

~~reviewed by a~~ specific ~~Peer Review committee~~ member, ~~or members~~, based on actual conflict of interest as determined by the committee chair or the Board. This protest shall be included in the committee's report. ~~and.~~

_____ (C) The Chiropractic physician being reviewed may be accompanied by legal counsel.

_____ (D) Failure to cooperate with, or appear before, the committee shall be reviewed by the Board and may result in disciplinary action.

_____ (6) ~~The Ppeer rReview cCommittee~~ shall consider all information submitted to it by the Board. The ~~C~~committee shall also consider any written and/or oral comments made by the Chiropractic physician being reviewed, ~~and the involved patient,~~ or other witnesses. The committee shall meet, complete the review, and submit a written report to the Board. This report should be adopted by a majority of the voting committee members ~~at the Peer Review Committee meeting, or by circulating draft reports to the members for their written approval~~. The report shall include a brief statement of the facts of the case, any violation of rules or statutes pertaining to the practice of Chiropractic and/or any deviation from accepted standards, along with any additional comments which might assist the Bboard in taking appropriate action.

_____ (7) The members of the ~~Ppeer Rreview Ccommittee~~ shall be paid mileage and per diem at the state rate while performing their official ~~duties~~functions.

Statutory Auth.: ORS 684

Stats. Implemented: ORS 684.185