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REGULATIONS COMPILER

1 BOARDS AND COMMISSIONS --

2 KENTUCKY BOARD OF CHIROPRACTIC EXAMINERS

3 (Amendment)

4 201 KAR 21:075. Peer review committee procedures and fees.

5 RELATES TO: KRS 312.200

6 STATUTORY AUTHORITY: KRS 312.015, 312.019, 312.200

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 312.200 requires the board to appoint a
8 peer review committee and establish procedures and fees for the review of submitted claims.

9 This administrative regulation establishes fees and procedures pertaining to the peer review
10 committee.

11 Section 1. Peer Review Committee.

12 (1) The board shall appoint a Peer Review committee of up to five (5) [~~four (4)~~] members. All
13 members of the peer review committee may serve a three (3) year term.

14 (a) Each member of the Peer Review committee shall serve until their successor is appointed and
15 qualified.

16 (b) Appointments to fill vacancies shall be for the unexpired term.

17 (c) Applicants for appointment to the Peer Review committee shall make application on the same
18 form utilized by applicants for appointment to the board, except filed with the board and not the
19 Governor's office, and shall include a cover letter stating that the application is for the Peer Re-
20 view Committee.

21 (2) Members of the Peer Review committee shall be doctors of chiropractic of integrity and abili

1 ty who at the time of their appointment have been actual residents of the Commonwealth of Ken-
2 tucky for at least two (2) years next preceding their appointment, and have been engaged in the
3 actual practice of chiropractic for at least five (5) years next preceding their appointment.

4 (3) Any member of the peer review committee shall not hold an elected position in any state or-
5 ganization or association relating to or consisting of licensees of this board or the practice of chi-
6 ropractic.

7 (4)

8 (a) Beginning on March 1, 2021, the longest-serving member on the Peer Review committee
9 shall be replaced by a member with a three (3) year appointment.

10 (b) In 2022, the next longest-serving member of the Peer Review committee shall be replaced by
11 a member with a three (3) year appointment.

12 (c) In 2023, the next longest-serving member on the Peer Review committee shall be replaced by
13 a member with a three (3) year appointment.

14 (d) In 2024, the next longest-serving member shall be replaced by a member with a three-year
15 appointment.

16 (e) Thereafter, each appointee to the Peer Review committee shall be appointed to a three (3)
17 year term.

18 (f) This subsection shall not prohibit any member of the peer review committee from serving
19 consecutive terms.

20 Section 2. Procedures and Fees of Peer Review Committee.

21 (1) Peer review shall not take place until the patient has submitted a release permitting photocop-
22 ies of the applicable treatment or billing records prepared by the chiropractor in the regular
23 course of business.

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

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

5 (2)

6 (a) Each claim shall be assigned to an individual member of the committee who shall review the
7 submitted records and response from the charged party and report his findings to the full com-
8 mittee, which shall review the findings and either adopt those findings or modify them as deter-
9 mined by majority vote.

10 (b) A copy of the findings shall be forwarded to the board, the patient, the chiropractor, and in-
11 surer or other third party payor.

12 (3)

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

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

17 (c)

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

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

1 (4)

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

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

7 (c) All fees shall be paid by the chiropractor, insurer, or other third party payor requesting the re-
8 view.

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

11 Section 3. Annual Report.

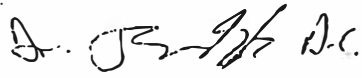
12 (1) An annual summary of the findings of the peer review committee shall be prepared by the
13 committee and submitted to the board.

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

16 (3) A report or summary submitted to the public by the board shall not disclose the name or iden-
17 tity of any patient without the patient's consent.

201 KAR 21:075

APPROVED BY AGENCY:

Handwritten signature in black ink, appearing to read "Dr. James England D.C." with a horizontal line underneath.

Dr. James England
Chair, Board of Chiropractic Examiners

Date: March 13, 2023