

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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HOUSE BILL 729

Short Title: Standards for Chiropractic Peer Review. (Public)

Sponsors: Representatives Conrad, Bryan, and Setzer (Primary Sponsors).

For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Health.

April 15, 2015

A BILL TO BE ENTITLED

AN ACT REQUIRING CHIROPRACTIC PEER REVIEW TO BE PERFORMED BY
INDIVIDUALS LICENSED TO PRACTICE CHIROPRACTIC IN THIS STATE.

The General Assembly of North Carolina enacts:

SECTION 1. Article 8 of Chapter 90 of the General Statutes is amended by adding a new section to read:

"§ 90-153.1. Chiropractic peer review.

(a) Definitions. – As used in this section, "chiropractic peer review" means the retrospective review of the treatment and billing records of a chiropractic patient, performed by an individual who was not the patient's treating chiropractor, for the purpose of advising a third-party payor as to whether, in the reviewer's opinion, the services rendered by the treating chiropractor were clinically necessary, whether the charges billed by the treating chiropractor were reasonable, or both.

(b) Qualifications of Reviewers. – Any individual who performs chiropractic peer review of a chiropractor licensed under this Article shall meet all of the following criteria:

- (1) Holds a current license to practice chiropractic in this State.
- (2) Has practiced chiropractic in this State during the five-year period immediately preceding the chiropractic peer review.
- (3) Derives at least half of his or her professional income from providing care and treatment to chiropractic patients.
- (4) If reviewing the treatment and billing records of a chiropractor who has been certified as a Diplomate in a specialty recognized by the State Board of Chiropractic Examiners, holds a diploma in the same specialty.
- (5) Does not collect a fee based on the extent to which the individual recommends a reduction of the treating chiropractor's bill.

(c) Standard of Care. – When performing a peer review, the reviewer shall apply the standards of acceptable care in effect in this State at the time services were rendered.

(d) Disclosure of Identity. – Any person performing a peer review shall disclose his or her identity and office address to the treating chiropractor.

(e) Enforcement. – Any chiropractor licensed under this Article by the Board of Chiropractic Examiners who fails to comply with this section shall be guilty of unethical conduct and shall be subject to disciplinary action under G.S. 90-154(b)(4). Any individual who performs chiropractic peer review without possessing a license as provided in this Article shall be subject to prosecution and injunctive action as provided in G.S. 90-147."

SECTION 2. This act is effective when it becomes law.

