

# ALASKA STATE LEGISLATURE

## REPRESENTATIVE STANLEY WRIGHT

[Rep.Stanley.Wright@AKLeg.GOV](mailto:Rep.Stanley.Wright@AKLeg.GOV)

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Juneau, Alaska 99801 (Jan. –April)  
State Capitol, Room 412  
907.465.2095

## HB 57

### “Emergency Medical Services (EMS) Quality Assurance Program Protections”

### Sponsor Statement

House Bill 57 gives EMS agencies protections for peer review activities.

Peer review is an intensive self-evaluation process used within healthcare organizations in order to continuously monitor and improve patient care. Peer review activities are non-discoverable – this important protection is provided by states to healthcare organizations to establish an environment conducive to improvement, without fear of discovery and litigation. The current status provides a chilling effect on the openness and educational process that EMS peer review provides.

This proposed legislation will promote candor and objectivity in EMS system review and discussion. It is essential that allowing EMS medical practitioners to frankly discuss care and conduct in a confidential setting, without worry about external access to the information, would enhance the quality of pre-hospital medical practice.

Past legal decisions have asserted that the existing statutory provisions which provide this protection to medical facilities, institutions, or hospital governing bodies and their committees, provide the same protections to emergency medical services (EMS) and fire-based pre-hospital agencies. This is an untested theory and places pre-hospital medical agencies in an unprotected status which other entities enjoy.

HB 57 changes the definition of “review organization” to include EMS groups who perform quality improvement functions. By doing so, they are afforded equitable immunity and confidentiality protection that hospitals and other healthcare workers enjoy. Peer review protection is essential if Alaska’s EMS systems are to be used to their maximum potential. Passage of this legislation enhances the safety of the public and the educational process for EMS through the peer review program.