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# Senator Rick Uehling


Downtown, Elmendorf, Northeast Anchorage



Senate Finance Committee  
International Trade & Tourism Committee  
State Affairs Committee

## MEMORANDUM

TO: Senator Drue Pearce, Chair  
Senate Labor and Commerce Committee

FROM: Senator Rick Uehling 

DATE: April 30, 1991

RE: SB 273, an Act relating to the establishment of a peer review committee by the Board of Chiropractic Examiners.

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I would appreciate your assistance in scheduling SB 273, an Act relating to the establishment of a peer review committee by the Board of Chiropractic Examiners, for a hearing before the Senate Labor and Commerce Committee at the earliest possible time.

SB 273 would establish a peer review committee to review complaints concerning the reasonableness of care provided, fees charged, or costs for services rendered by a licensee to a patient. The results of the peer review committee would not be binding upon the Board of Chiropractic Examiners.

Please contact Bryan Butcher in my office at 465-4821 if you have any questions.

SB 273: "An Act relating to the establishment of a Peer Review Committee by the Board of Chiropractic Examiners."

The department supports SB 273 because it affords the public the right to have grievances aired without the expense and time required by the court system. It further assures the responding chiropractor, against whom a complaint was lodged, that (s)he will be reviewed by those with the appropriate background.

There is a lack in the legislation to compel the respondent to honor the request. To facilitate cases being reviewed by a committee, it is suggested that there be a provision that the responding chiropractor be responsible for mailing the case records to each of the peer review committee members.

Finally, to eliminate nuisance complaints and to reduce some of the costs in administering such a program, it is suggested that a nominal fee of \$50.00 be required in filing a complaint. This fee would be used to cover the cost of long distance calls and return mailing costs by the members of the committee.



Glenn A. Olds, Commissioner

Date: 5-6-91

FISCAL NOTE

STATE OF ALASKA  
1991 LEGISLATIVE SESSION

BILL NO. SB 273

Revision Date: \_\_\_\_\_ Department Affected: Commerce & Economic Dev.  
 Title: Relating to the establishment of BRU: Occupational Licensing  
a peer review committee... Component: Administration  
 Sponsor: Senator Uehling  
 Requestor: Senate Labor & Commerce COMPONENT SERIAL NO. 

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Expenditures/Revenues: (Thousands of Dollars)

OPERATING	FY 92	FY 93	FY 94	FY 95	FY 96	FY 97
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
<b>TOTAL OPERATING</b>	0	0	0	0	0	0

CAPITAL						
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REVENUE	0	0	0	0	0	0
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FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
<b>TOTAL</b>	0	0	0	0	0	0

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

Estimate of current year impact: None

ANALYSIS: (Attach a separate page if necessary.)

SB 273 authorizes the Board of Chiropractic Examiners to utilize a peer review committee to review certain types of complaints. The department anticipates the administrative costs to be minimal; and that any administrative cost will be offset by an application fee to utilize the peer review process.

Prepared By: Jennifer Strickler, Admin. Officer Phone: 465-2144  
 Division: Occupational Licensing Date: May 2, 1991  
 Approved by Commissioner: Glenn A. Olds  
 Agency: Commerce and Economic Development Date: 5-2-91

Distribution (by preparer): Legislative Finance, Legislative Sponsor, Requestor, OMB, & Impacted Agency(ies).

SENATE COMMITTEE REPORT  
FIRST COMMITTEE OF REFERRAL

DATE: 4/29/91

FURTHER: Finance

Date of 5-Day Notice: 5-2-91  
(in accordance with Uniform Rule 23)

DATE TURNED  
INTO OFFICE: \_\_\_\_\_

L&C Committee considered SB 273

Establishment of a peer review committee by the Board of Chiropractic Examiners.

and recommended:

- replace with \_\_\_\_\_ CS \_\_\_\_\_  same title
- attached amendment(s)  new title
- \_\_\_\_\_ letter of intent adopted
- do pass
- do not pass
- no recommendation
- individual recommendations
- further referral to \_\_\_\_\_

ATTACHES NEW FISCAL NOTE(S):

Department(s)/Date:

Department(s)/Date:

fiscal note(s) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

zero fiscal note(s) COMMERCE/5-2-91  
\_\_\_\_\_  
\_\_\_\_\_

appropriation-no fiscal note

Governor's bill w/fiscal note

SIGNING DO PASS:

[Signature]  
[Signature]  
[Signature]  
\_\_\_\_\_  
\_\_\_\_\_

OTHER RECOMMENDATIONS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[Signature]  
Chair: Signature and Recommendation



# COMMUNITY CHIROPRACTIC CLINIC

550 EAST TUDOR ROAD  
ANCHORAGE, ALASKA 99503  
TELEPHONE (907) 582-6388



May 6, 1991

Mr. Cliff Groh  
The Office of Rep. David Finkelstein  
State Capitol Building  
Juneau, Alaska 99811

Ref: HB 293  
Chiropractic Peer Review

Dear Mr. Groh:

Thanks for taking the time to meet with me the other day. Your suggestions and comments were right on target, and your insight has been most appreciated and helpful.

To follow up, I would like to cover a few areas of possible questions regarding this peer review bill. Firstly, the need has arisen for the Board of Examiners to provide information regarding the appropriateness of chiropractic services that they are currently unable to provide. The Board has statutory authority to discipline, or to determine if care is within the scope of chiropractic practice, but not to determine if accepted care is reasonable or appropriately applied. This would essentially be one more service the Board could provide.

Secondly, we feel that there would be no fiscal impact to the State. The way we envision that the mechanism would work would be that the review would be conducted by mail, with a copy of the complete file provided to each peer review member. Each of the reviewing doctors would then provide a report to the chairman, who would author a summary report to the parties involved and to the Board. The members of the committee would not have to meet, thereby avoiding the costs of travel and per diem. Postage would be defrayed by an application fee as determined by the Board.

And thirdly, there is a question regarding fee review and anti-trust constraints. This is a real concern. The Board (and others) are being asked with increasing frequency to determine UCR (usual, customary and reasonable) fees. In fact, the Workers' Compensation Board currently mandates UCR's. Whether we like it or not, fee review is coming and the mechanism needs to be in place. The Board is the perfect place to do that as it is under the purview and scrutiny of the State. We feel that fee review under any other authority would have a greater tendency for bias and should be left to the Board.

Again, thank you for your time and consideration. I thoroughly enjoyed my visit to Juneau, and look forward to visiting again. If I can provide any additional information, please do not hesitate to contact me at your convenience.

Warmest personal regards,



David J. Mulholland, D.C.  
Peer Review Chairman  
Alaska Chiropractic Society

DJM:ar