

1 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby
2 direct the Louisiana State Board of Medical Examiners to conduct, or cause to be conducted,
3 a two-year study of the feasibility and advisability of establishing a physician review panel
4 process for certain complaints against physicians prior to escalation to formal disciplinary
5 proceedings.

6 BE IT FURTHER RESOLVED that the study shall examine all of the following
7 issues:

8 (1) Whether complaints involving clinical decision making, diagnosis, treatment,
9 prescribing, supervision of clinical care, documentation of care, or standard of care should
10 be eligible for physician review panel consideration, and whether complaints primarily
11 involving billing disputes, fee disputes, other financial complaints, or allegations of sexual
12 misconduct should be excluded.

13 (2) Whether physician review panel consideration should be mandatory or optional
14 at the election of the physician who is the subject of the complaint.

15 (3) Whether the time limitation provided in R.S. 37:1285.2(A)(2) should be tolled
16 during physician review panel consideration.

17 (4) Appropriate qualifications for panel members, including active clinical practice
18 requirements, board certification in a specialty recognized by the American Board of
19 Medical Specialties when reasonably available, use of physicians in the same specialty or
20 a substantially similar field of practice, and use of non-board-certified physicians when
21 board certification is unavailable and the physician has substantial experience in the area of
22 practice under review.

23 (5) Appropriate procedures for empaneling physician review panels, including
24 deadlines for designation of members, methods of resolving deadlocks in the selection of a
25 third member, and procedures for filling vacancies or resolving recusals and
26 disqualifications.

27 (6) The proper role and legal effect of a physician review panel recommendation,
28 including whether such a recommendation should be advisory only or entitled to greater
29 weight in the disciplinary process.

1 (7) Appropriate confidentiality protections for records, notes, data, studies, analyses,
2 exhibits, written recommendations, findings, determinations, and proceedings of the
3 physician review panel, including whether protections similar to those found in R.S.
4 13:3715.3 should apply.

5 (8) Appropriate compensation for panel members and the advisability of imposing
6 a fee on a physician who elects physician review panel consideration, including whether any
7 such fee should be capped.

8 (9) The effect such a process would have on administrative efficiency, physician
9 participation, due process, protection of the public, and the timely resolution of complaints.

10 BE IT FURTHER RESOLVED that, in conducting the study, the LSBME shall
11 consult with representatives of the Louisiana State Medical Society, physicians from a
12 variety of specialties, and such other stakeholders as the board deems appropriate.

13 BE IT FURTHER RESOLVED that the LSBME shall submit an initial progress
14 report on the study not later than December 1, 2027, and shall submit a final written report
15 of its findings, conclusions, and recommendations not later than February 1, 2028, to the
16 House Committee on Health and Welfare and the Senate Committee on Health and Welfare.

17 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
18 executive director of the Louisiana State Board of Medical Examiners and to the president
19 of the Louisiana State Medical Society.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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2026 Regular Session

Dewitt

Directs the Louisiana State Board of Medical Examiners to conduct a two-year study on the feasibility and advisability of establishing a physician review panel process for certain complaints involving clinical decision making and standards of care prior to escalation to formal disciplinary proceedings.