

2026 Regular Session

SENATE BILL NO. 124

BY SENATOR TALBOT

HEALTH CARE. Provides relative to peer review of health systems. (8/1/26)

1 AN ACT

2 To amend and reenact the introductory paragraph of R.S.13:3715.3(A), 3715.3(A)(2), (B),
3 and (G)(1)(b) and to enact R.S. 13:3715.3(G)(1)(c) and (d) and (H), relative to peer
4 review records; to provide for peer review records of health systems; to provide for
5 definitions; to provide for confidentiality; to provide for sharing of information; to
6 provide for liability; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. The introductory paragraph of R.S.13:3715.3(A), 3715.3(A)(2), (B), and
9 (G)(1)(b) are hereby amended and reenacted and R.S. 13:3715.3(G)(1)(c) and (d) and (H)
10 are hereby enacted to read as follows:

11 §3715.3. Peer review committee records; confidentiality

12 A. Notwithstanding the provisions of R.S. 44:7(D) or any other law to the
13 contrary, all records, ~~notes, data, studies, analyses, exhibits,~~ and proceedings, **as**
14 **defined in this Section,** of:

15 * * *

16 (2) Any hospital committee, **health system committee,** the peer review
17 committees of any medical organization, dental association, professional nursing

1 association, nursing home association, social workers association, group medical
2 practice of twenty or more physicians, nursing home, ambulatory surgical center
3 licensed pursuant to R.S. 40:2131 et seq., ambulance service company, health
4 maintenance organization, any nationally recognized improvement agency or
5 commission, including but not limited to the Joint Commission on Accreditation of
6 Healthcare Organizations (JCAHO), or any committee or agency thereof, or any
7 healthcare licensure agency of the Louisiana Department of Health, or healthcare
8 provider as defined in R.S. 40:1299.41(A), or extended care facility committee,
9 including but not limited to the credentials committee, the medical staff executive
10 committee, the risk management committee, or the quality assurance committee, and
11 any peer review committee of a health system, ~~any committee determining a root~~
12 ~~cause analysis of a sentinel event, established by the peer review committees of a~~
13 ~~medical organization, dental organization, group medical practice of twenty or more~~
14 ~~physicians, social workers association, ambulatory surgical center licensed pursuant~~
15 ~~to R.S. 40:2131 et seq., ambulance service company, health maintenance~~
16 ~~organization, or healthcare provider as defined in R.S. 40:1299.41(A), or private~~
17 ~~hospital licensed under the provisions of R.S. 40:2100 et seq., shall be confidential~~
18 ~~wherever located and shall be used by such committee and the members thereof only~~
19 ~~in the exercise of the proper functions of the committee and shall not be available for~~
20 ~~discovery or court subpoena regardless of where located, except in any proceedings~~
21 ~~affecting the hospital staff privileges of a physician, dentist, psychologist, or~~
22 ~~podiatrist the records forming the basis of any decision adverse to the physician,~~
23 ~~dentist, psychologist, or podiatrist may be obtained by the physician, dentist,~~
24 ~~psychologist, or podiatrist only. However, no original record or document, which is~~
25 ~~otherwise discoverable, prepared by any person, other than a member of the peer~~
26 ~~review committee or the staff of the peer review committee, may be held confidential~~
27 ~~solely because it is the only copy and is in the possession of a peer review~~
28 ~~committee.~~

29 B. No employee, physician, dentist, public or private hospital, organization,

1 **health system**, or institution furnishing information, data, reports, or records to any
 2 such committee with respect to any patient examined or treated by such physician
 3 or dentist or confined in such hospital or institution shall be liable in damages to any
 4 person by reason of furnishing such information.

* * *

G.(1) As used in this Subsection, the following terms shall mean:

* * *

(b) "Health system" shall mean any of the following:

9 **(i) A group of two or more hospitals that are owned, operated,**
 10 **sponsored, or managed by a single entity, or that are subject to the control and**
 11 **direction of a common owner or parent company.**

12 **(ii) Any parent entity, holding company, or affiliated group of entities**
 13 **under common ownership or control that owns, operates, manages, or is**
 14 **affiliated with one or more hospitals, clinics, physician practices, or other**
 15 **healthcare providers.**

16 ~~(b)~~**(c)** "Licensee" means an individual who possesses a license, certificate,
 17 or registration duly issued by a board, or an individual who has made application for
 18 such a license, certificate, or registration.

19 **(d) "Records and proceedings" shall mean and include, without**
 20 **limitation, all records, notes, data, reports, memoranda, analyses studies,**
 21 **exhibits, minutes, draft documents, emails, electronic communications, and**
 22 **work product generated by, for, or at the direction of a committee covered by**
 23 **this Section.**

* * *

25 **H.(1) A health system or hospital within a health system that conducts**
 26 **as part of its regular business activities any form of professional credentialing**
 27 **or quality review activities involving the competence of, professional conduct**
 28 **of, or quality of care provided by healthcare providers identified in Subsection**
 29 **A of this Section, may share such peer review records as described in Subsection**

1 A of this Section within a health system or among hospitals within the same
 2 health system so long as such peer review records are used only for
 3 credentialing, quality review, competency purposes, professional conduct
 4 purposes or patient safety activities as defined by the Patient Safety and Quality
 5 Improvement Act of 2005, 42 U.S.C. 299b-21 through 299b-26.

6 (2) When disclosure is requested and made in a manner authorized in
 7 Paragraph (1) of this Subsection, the verbal, written, or other disclosure of peer
 8 review records and proceedings by any person, committee, hospital, health
 9 system, or other peer review entity described in Subsection A of this Section
 10 within the same health system or among or between hospitals within the same
 11 health system shall not constitute a waiver of any legal or evidentiary privilege,
 12 nor form the basis of any claim or suit for damages or injunctive relief of
 13 whatsoever kind or nature, including breach of confidentiality or invasion of
 14 privacy or otherwise, and the person, hospital, health system, or other peer
 15 review entity making the disclosure shall be entitled to the benefit of the
 16 immunities otherwise provided for in Subsections B and C of this Section.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

DIGEST

SB 124 Reengrossed

2026 Regular Session

Talbot

Present law provides for the confidentiality of all records, notes, data, studies, analyses, exhibits, and proceedings of peer review committees of certain medical entities.

Present law further provides that the materials are only for the use of the peer review committee in the exercise of the proper functions of the committee and are not available for discovery or court subpoena regardless of location, except as provided in present law.

Proposed law adds hospital systems to the list of medical organizations whose peer review committee materials are confidential and not subject to disclosure.

Proposed law authorizes hospitals within the same health system to share peer review records for credentialing, quality review, competency purposes, professional conduct purposes, or patient safety activities.

Proposed law provides that sharing peer review materials within a health system does not constitute a waiver of any legal or evidentiary privilege nor form the basis of any claim or suit for damages or injunctive relief.

Proposed law provides that a person, hospital, health system, or other peer review entity sharing information pursuant to proposed law is entitled to immunities provided for in present law.

Effective August 1, 2026.

(Amends R.S. 13:3715.3(A)(intro para) and (2), (B), and (G)(1)(b); adds R.S. 13:3715.3(G)(1)(c) and (d) and (H))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill

1. Moves statutory placement of definitions.
2. Makes changes to terminology.

Senate Floor Amendments to engrossed bill

1. Makes technical changes.