

VIRGINIA ACTS OF ASSEMBLY -- 2013 SESSION

CHAPTER 204

An Act to amend and reenact § 65.2-1306 of the Code of Virginia, relating to workers' compensation; peer review of medical costs; referral to committee.

[H 1733]

Approved March 12, 2013

Be it enacted by the General Assembly of Virginia:

1. That § 65.2-1306 of the Code of Virginia is amended and reenacted as follows:

§ 65.2-1306. Corrective action.

A. If it is determined that a physician improperly overutilized or otherwise rendered or ordered inappropriate medical treatment or services, or that the cost or duration of such treatment or services was inappropriate, the regional peer review committee shall, in accordance with the standard set forth in § 65.2-605, adjust the amount of reimbursement to which the physician is entitled pursuant to this title and, if the physician already has been paid, shall require such physician to repay any excess amount that was paid to him for rendering or ordering such treatment or services.

B. Any such determination by any regional peer review committee shall be reviewable by the Commission, which shall have exclusive jurisdiction to effect any such review. Any review by the Commission shall be pursuant to § 65.2-714. To be entitled to review by the Commission, the physician must deliver to the Commission written notice of his request for review, which notice must be received within thirty days after notice of the decision of the regional peer review committee is received by the physician.

C. By accepting payment pursuant to this title, (i) any physician, any hospital and any employee shall be deemed to have consented to the submitting of all records concerning treatment of the employee to the Commission, to the Statewide Coordinating Committee, to any regional peer review committee, or to any agent of any such committee and (ii) any physician shall be deemed to agree to comply with any decision of the regional peer review committee, subject to his right to have the decision reviewed by the Commission.

D. If any matter referred to any particular peer review committee shall not be resolved by a determination from the committee within six months of referral, then any party to the dispute previously referred may request that the matter be remanded to the Commission for handling pursuant to § 65.2-714, and upon verification of a failure of the committee to issue a determination within the requisite six-month period, such remand shall be granted as a matter of right. Once so remanded, a case shall not be re-referred to a peer review committee.