

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

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

4 [H 1733]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 65.2-1306 of the Code of Virginia is amended and reenacted as follows:**8 **§ 65.2-1306. Corrective action.**

9 A. If it is determined that a physician improperly overutilized or otherwise rendered or ordered  
10 inappropriate medical treatment or services, or that the cost or duration of such treatment or services  
11 was inappropriate, the regional peer review committee shall, in accordance with the standard set forth in  
12 § 65.2-605, adjust the amount of reimbursement to which the physician is entitled pursuant to this title  
13 and, if the physician already has been paid, shall require such physician to repay any excess amount that  
14 was paid to him for rendering or ordering such treatment or services.

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

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

27 D. If any matter referred to any particular peer review committee shall not be resolved by a  
28 determination from the committee within six months of referral, then any party to the dispute previously  
29 referred may request that the matter be remanded to the Commission for handling pursuant to  
30 § 65.2-714, and upon verification of a failure of the committee to issue a determination within the  
31 requisite six-month period, such remand shall be granted as a matter of right. Once so remanded, a  
32 case shall not be re-referred to a peer review committee.

ENROLLED

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