

2021 Kansas Statutes

76-493. **Kansas state university medical center; peer review committees; privileged communications, limitations.** On and after July 1, 1992: (a) As used in this section:

- (1) "Veterinary medical center" means the Kansas state university veterinary medical center.
- (2) "Review committee" means a committee or group of individuals designated by the veterinary medical center to act as a review committee under this section.
- (3) "Peer review" means any of the following functions performed by a review committee:
 - (A) Evaluate and improve the quality of veterinary services rendered by the veterinary medical center;
 - (B) determine that veterinary services rendered were professionally indicated or were performed in compliance with the applicable standard of care;
 - (C) reduce morbidity or mortality;
 - (D) review and make recommendations regarding the cost of veterinary services;
 - (E) determine if the veterinary medical center's facilities are being properly utilized;
 - (F) evaluate the quantity, quality and timeliness of veterinarian services rendered in the veterinary medical center;
 - (G) evaluate, review or improve methods, procedures or treatments being utilized by the veterinary medical center.
- (4) "Peer review committee or officer" means a review committee or an individual employed, designated or appointed by a review committee and authorized to perform peer review.

(b) Except as provided by subsections (c) and (d), the reports, statements, memoranda, proceedings, findings and other records of peer review committees or officers shall be privileged and shall not be subject to discovery, subpoena or other means of legal compulsion for their release to any person or entity or be admissible in evidence in any judicial or administrative proceeding. Information contained in such records shall not be discoverable or admissible at trial in the form of testimony by an individual who participated in the peer review process. This privilege may be claimed by the veterinary medical center.

(c) Subsection (b) shall not apply to proceedings in which a veterinarian contests the revocation, denial, restriction or termination of staff privileges or the veterinarian's license or proceedings involving the evaluation, discipline or termination of faculty by Kansas state university.

(d) Nothing in this section shall limit the authority, which may otherwise be provided by law, of the state board of veterinary examiners to require a peer review committee or officer to report to it any disciplinary action or recommendation of such committee or officer or; to transfer to it records of such committee's or officer's proceedings or actions to restrict or revoke the license of a veterinarian. Reports and records so furnished shall not be subject to discovery, subpoena or other means of legal compulsion for their release to any person or entity and shall not be admissible in evidence in any judicial or administrative proceeding other than a disciplinary proceeding by the state board of veterinary examiners.

(e) A peer review committee or officer may report to and discuss its activities, information and findings to other peer review committees or officers or to officers of Kansas state university without waiver of the privilege provided by subsection (b) and the records of all such committees or officers relating to such report shall be privileged as provided by subsection (b).

History: L. 1992, ch. 241, § 2; May 21.