

216C.090 Selection of non-attorney members of medical review panel.

- (1) Within five (5) days after acknowledging appointment of the selection of a panel chairperson, the panel chairperson shall provide the parties with two (2) lists of panelists who are eligible for panel membership under KRS 216C.080. Each list shall contain three (3) names of prospective panelists eligible to serve. The lists shall, to the extent reasonably possible, include only prospective panelists from the professions and within the specialty fields, if any, of one (1) or more of the defendants, and shall, to the extent reasonably possible, include only prospective panelists who are licensed in the Commonwealth of Kentucky. The parties to the proposed complaint shall be permitted to propose to the panel chairperson the health care provider professions and related specialty fields from which the lists of panelists will be drawn.
- (2) The plaintiff shall strike a name from each list, and the defendant shall strike a name from each list. If there is more than one (1) plaintiff or more than one (1) defendant, the plaintiffs shall make their strikes collectively and the defendants shall make their strikes collectively. The remaining names on each list shall serve as panel members. The two (2) selected panelists shall then select a third panel member who meets the criteria set forth in KRS 216C.080 and is from the profession and specialty field, if any, of one (1) or more of the defendants.
- (3) If a party fails to make a strike within the time provided, the chairperson shall make the strike and notify all parties. Within fifteen (15) days after their selection, the panel members shall select the third member and notify the chairperson and the parties. If the panel members fail to make a selection, the chairperson shall make the selection and notify all parties.
- (4) If there are multiple plaintiffs or defendants, only one (1) panel member shall be selected by the plaintiffs, collectively, and one (1) by the defendants, collectively.

Effective: June 29, 2017

History: Created 2017 Ky. Acts ch. 22, sec. 10, effective June 29, 2017.