

216C.170 Restriction on ex parte communication with panel member -- Panel's right to all necessary and relevant information. (Declared void â€“ See LRC Note Below)

- (1) A party, a party's agent, a party's attorney, or a party's insurance carrier shall not communicate with any member of the panel, except as authorized by law, before the giving of the panel's opinion.
- (2)
 - (a) The panel has the right and duty to request all necessary and relevant information.
 - (b) The panel may consult with medical authorities.
 - (c) The panel may examine reports of other health care providers necessary to fully inform the panel regarding the issue to be decided.
 - (d) All parties shall have full access to any material submitted to the panel.
 - (e) The panel may conduct a hearing to question counsel or ask the parties to answer specific questions.
- (3) The chairperson of the panel shall advise the panel relative to any legal question involved in the review proceeding and shall prepare the opinion of the panel.

Effective: June 29, 2017

History: Created 2017 Ky. Acts ch. 22, sec. 18, effective June 29, 2017.

Legislative Research Commission Note (11/15/2018). On November 15, 2018, the Kentucky Supreme Court ruled that the 2017 Medical Review Panel Act, of which this section is part, violated Kentucky Constitution Section 14's guarantee of a right of access to the courts to obtain a remedy for injury and is, therefore, void in its entirety.