Chairperson Letter to Panel Members re Selection to Serve

{Date}

Re: MRP Case Number-____-____

Dear {Providers’ Names}:

You have been selected as the initial members of the Medical Review Panel that is being formed to review the enclosed Proposed Complaint pursuant to KRS Chapter 216C and 900 KAR 11:010. I have been chosen by the parties to be the Panel Chairperson.

Under KRS 216C.090(2) and (3), it is your responsibility as panel members to jointly select a health care provider who is from the profession and specialty field, if any, of one (1) or more of the defendants, to serve as the third panel member. This selection must be made by {date}. You are informed that all health care providers in the Commonwealth of Kentucky, whether in the teaching profession or otherwise, who hold a valid, active license to practice in their profession, shall be available for selection as members of the medical review panel, as provided by KRS 216C.080. Upon your selection of a health care provider to serve as the third panel member, one of you should notify me of the nominee’s name, area of practice, and address. Once the third member has been selected, I will notify the parties. If there are no objections by the parties, the panel will be formed and the matter will proceed. If there is an objection, it may be necessary to select another health care provider. Therefore, it might save time for you to come up with the names of three or four persons to whom you would agree, and to indicate an order of preference.

Due to a potential conflict or earlier consideration by the parties in this case, the following health care providers should not be nominated for service on this particular panel: {names}.

For informational purposes only, I am enclosing a copy of the Proposed Complaint filed in this case. Once the panel selection has been completed, the panel will consider evidence submitted by the parties concerning this matter. At the appropriate time, the panel may convene at a time and place agreeable to all of the members to review the evidence and discuss the panel’s decision.

KRS 216C.220 provides that each panel member is to be paid a statutory stipend of up to $350.00, plus reasonable travel expenses. To the extent the parties need your involvement as a witness after the opinion is rendered, KRS 216C.200(2) requires the party calling you as a witness to provide reasonable compensation for your appearance. Additionally, KRS 216C.210 provides absolute immunity for civil liability for all communications, findings, opinions, and conclusions made in the course and scope of duties prescribed for you as a member of this medical review panel.

If either of you have any type of personal or business relationship with any of the parties or their attorneys, you should disclose that to me at this time as required by KRS 216C.100(1). For your information, the Claimant is represented by {name, office}, and the Defendant is represented by
Additionally, if you are requesting relief from serving on this medical review panel for good cause, KRS 216C.120(3) requires that you serve an affidavit upon me as chairperson that sets out the facts showing that service would constitute an unreasonable burden or undue hardship. If applicable, please provide that affidavit as soon as practical.

From this point forward, you should also not discuss the case with any of the parties, their agents, attorneys, or insurance representatives, in order to comply with KRS 216C.170(1).

Please advise as to the best way to contact you or if there is any change in address information before the panel convenes. Your assistance and cooperation in this matter will be greatly appreciated. Please let me know as soon as you have selected a third panel member or if you have any questions.

Sincerely,

{name}