

JOINT RESOLUTION AMENDING RULES OF CIVIL PROCEDURE ON PEER REVIEW

Senator **Jerry W. Stevenson** proposes the following amendments:

1. *Page 5, Lines 136 through 138:*

136 forth below. Privileged matters that are not discoverable or admissible in any proceeding of  
137 any kind or character include all information in any form provided ~~{to}~~ during and ~~{relating~~  
to} created specifically as part of a request for an investigation the  
138 investigation, findings, or conclusions of peer review, care review, or quality assurance processes of  
any organization of health care providers as defined

2. *Page 11, Line 295:*

295 UCA, 1953. The language is intended to ensure the confidentiality of peer review, care review, and  
quality assurance processes and to ensure that the privilege is limited only to documents and information  
created specifically as part of the processes. It does not extend to knowledge gained or documents created  
outside or independent of the processes. The language is not intended to limit the court's existing ability,  
if it chooses, to review contested documents in camera in order to determine whether the documents fall  
within the privilege. The language is not intended to alter any existing law, rule, or regulation relating to  
the confidentiality, admissibility, or disclosure of proceedings before the Utah Division of Occupational  
and Professional Licensing. The Legislature intends that these privileges apply to all pending and future