



MEDICAL BOARD OF CALIFORNIA

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AGENDA ITEM 29D

**HEALTH FACILITY/PEER REVIEW REPORTING FORM
 (Required by Section 805.01 of the California Business & Professions Code)**

NOTE: Certain actions, with respect to staff privileges, membership or employment of physicians and podiatrists must be reported to the Medical Board of California when they are imposed or voluntarily accepted for a medical disciplinary cause or reason.

******PLEASE PRINT OR TYPE******

REPORTING ENTITY

Please check type of Reporting Entity: <input type="checkbox"/> Health Care Facility or Clinic - §805(a)(1)(A) <input type="checkbox"/> Health Care Service Plan - §805(a)(1)(B)			
<input type="checkbox"/> Professional Society - §805(a)(1)(C)		<input type="checkbox"/> Medical Group or Employer - §805(a)(1)(D)	
<input type="checkbox"/> Ambulatory Surgical Center - §805(a)(1)(A)			
Name		Telephone #:	
Chief Executive Officer/Medical Director/Administrator		Chief of Medical Staff	
Name of person preparing report:		Telephone #	
street address	city	state	zip code

LICENTIATE

Name (Last)	(First)	License # _____
		Podiatrist <input type="checkbox"/> Physician <input type="checkbox"/>

REASON FOR FORMAL INVESTIGATION

Reason for formal investigation that resulted in recommended action::

_____ Incompetence, or gross or repeated deviation from the standard of care involving death or serious bodily injury to one or more patients, To the extent or in such a manner as to be dangerous or injurious to any person or the public.

_____ The use of, or prescribing for or administering to him/herself, any controlled substance; or the use of any dangerous drug, as defined in Section 4022, or of alcoholic beverages, to the extent or in such a manner as to be dangerous or injurious to the licentiate, or any other Persons, or the public, or to the extent that such use impairs the ability of the licentiate to practice safely.

_____ Repeated acts of clearly excessive prescribing, furnishing, or administering of controlled substances or repeated acts of prescribing, dispensing, or furnishing of controlled substances without a good faith effort prior examination of the patient and medical reason therefor.

_____ Sexual misconduct with one or more patients during a course of treatment or an examination.

RECOMMENDED ACTION

_____ Termination or revocation of staff privileges, membership or employment

_____ Restriction of staff privileges, membership or employment

_____ Summary suspension of staff privileges, membership or employment

If staff privilege restriction is recommended, list proposed specific restrictions:

Date final decision/recommendation made: _____

Signature _____ Date _____
 Chief Executive Officer/Medical Director/Administrator

Signature _____ Date _____
 Chief of Medical Staff

805 Fact Sheet

- An 805 report is the mechanism in which peer review bodies, most commonly found in hospitals, are required to report specific information regarding physicians to the Medical Board. *It is important to note that 805 reports are not public documents and are not available to consumers.*
- SB 700 (Negrete McLeod, Chapter 505, Statutes of 2010) requires the Medical Board to post an 805 fact sheet that explains and provides information on the 805 reporting requirements. More information on the requirements related to 805 reporting can be found in Business and Professions Code Section 805:
<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=bpc&group=00001-01000&file=800-809.9>

Who must file:

Any peer review body from:

- ✓ A health care facility or clinic licensed under Division 2 of the Health and Safety Code or a facility certified to participate in the federal Medicare Program as an ambulatory surgical center
- ✓ A health care service plan licensed under Chapter 2.2 of Division 2 of the Health and Safety Code or a disability insurer that contracts with licentiates
- ✓ A medical or podiatric professional society having as members at least 25% of the eligible licentiates in the area in which it functions, which is not organized for profit and which has been determined to be exempt from taxes
- ✓ A committee organized by any entity consisting of or employing more than 25 licentiates of the same class that functions for the purpose of reviewing the quality of care provided by members or employees

The 805 report can be signed by:

- ✓ The chief of staff of a medical or professional staff
- ✓ Other chief executive officer
- ✓ Medical director, or administrator of any peer review body
- ✓ Chief executive officer or administrator of any licensed health care facility or clinic

What must be reported:

- ✓ Name of licensee (the physician)
- ✓ Physician's license number
- ✓ Description of the facts and circumstances of the medical disciplinary cause or reason and any other relevant information deemed appropriate by the reporter

When a report must be filed:

An 805 Report must be filed within 15 days from the date:

- ✓ A peer review body denies or rejects a licensee's applications for staff privileges or membership for a medical disciplinary cause or reason
- ✓ A licensee's staff privileges, membership, or employment are revoked for a medical disciplinary cause or reason
- ✓ Restrictions are imposed, or voluntarily accepted, on staff privileges, membership, or employment for a total of 30 days or more within any 12 month period for medical disciplinary reasons
- ✓ An 805 report must be filed if the resignation, leave of absence, withdrawal or abandonment of application or for renewal of privileges occurs after receiving notice of a pending investigation initiated for a medical disciplinary cause or reason
- ✓ A summary suspension of staff privileges, membership, or employment is imposed for a period in excess of 14 days

Failure to File:

Intentional failure to report may result in a \$100,000 fine.
Any failure to report may result in a \$50,000 fine.

A blank 805 report form can be obtained at the following link:

<http://www.mbc.ca.gov/forms/enf-805.pdf>