

9505.5079 INELIGIBILITY TO SERVE AS PHYSICIAN ADVISER.

A physician shall not be eligible to serve as a physician adviser if:

A. the physician is the admitting physician or the physician who will provide the surgical procedure;

B. during the previous 12 months, the physician issued treatment orders or participated in the formulation or execution of the treatment plan for the recipient for whose surgical procedure a determination of medical appropriateness is required;

C. the physician or the physician's spouse, child, grandchild, parent, or grandparent has an ownership interest of five percent or more in the hospital where the surgery was or will be performed; or

D. the physician can obtain a financial benefit from the performance of the surgical procedure on the recipient.

Statutory Authority: *MS s 256.0625; 256.991; 256D.03*

History: *20 SR 2405*

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