

OPENING STATEMENT BY THE CHAIR OF THE PEER REVIEW COMMITTEE

This nursing peer review committee is convened pursuant to the nursing peer review policy and procedures of ABC Facility of Texas. All proceedings of this committee are confidential by the Nursing Peer Review Law. The members of the committee as well as A. Nurse and the witnesses to be called are instructed to maintain confidentiality and to refrain from discussing these matters with anyone other than the committee or with legal counsel. Violation of confidentiality could lead to legal consequences, including disciplinary action by ABC Facility or the Board of Nursing.

The committee will evaluate the incident(s) or omission(s) involving the nursing practice of A. Nurse. The committee will take testimony, interview witnesses, interview A. Nurse, and review documents. At the conclusion of the hearing, the committee will confer and make recommendations for corrective actions, if any, to A. Nurse and his/her supervisor. A. Nurse will have the opportunity to submit a written rebuttal statement of reasonable length that will become part of the permanent peer review record.

To the extent possible, nursing peer review is intended to be a collegial evaluation of nursing practice, not an adversarial proceeding. Rules of procedure and evidence applicable to trials will not apply in this hearing. Hearsay evidence will be admitted with consideration given to the source, its credibility, and the nature of the evidence. Committee members and the nurse may question witnesses. *[Optional: State if nurse's attorney or nurse peer will have opportunity to question witnesses]*

Before commencing the hearing, the committee will introduce themselves and identify their area of practice. Should A. Nurse have any objections to any of the committee members, h e / s h e should voice any objections after the introductions have been completed. He/She may ask to do so in private. If at any point, any member believes he/she may have a conflict of interest or for any reason be unable to evaluate objectively the nurse's conduct based on the evidence presented to this committee, he/she should notify the Chair immediately.

If anyone believes the Chair does not act in good faith or does not conduct proceedings appropriately, he/she is encouraged to convey that concern to the Office of General Counsel of this facility.

The evaluation of A. Nurse's nursing practice is the responsibility of the entire committee as a group. Committee members are reminded that they may not report the nurse to the BON solely on the basis of information learned at this hearing.

The hearing will begin with an opening statement by the supervisor or investigator. The opening statement will present the allegations along with any patient records or other documents that support the allegations under review. The opening statement will also identify those witnesses or persons with knowledge of the incident(s) or omission(s). Following these presentations, A. Nurse will have an opportunity to demonstrate compliance with the standards of nursing practice and the policies and procedures of this hospital. He/She will also be able to present witnesses on her/his behalf. The committee may question either A. Nurse or witnesses at any time during their presentation.

The Nursing Peer Review Law, BON rules and policy and procedure of this facility on nursing peer review govern these proceedings. Any procedural questions will be answered consistent with that law and those rules and policy. Professional decorum will be maintained at all times. The hospital policies governing nursing peer review give the chair the authority to suspend any right provided by those policies or to suspend these proceedings if necessary to maintain professional decorum.

We will now proceed.