



American College of  
Emergency Physicians®

ADVANCING EMERGENCY CARE 

# POLICY STATEMENT

Approved January 2024

## *Medical Practice Review and the Practice of Medicine*

Revised January 2024

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2018

The American College of Emergency Physicians (ACEP) endorses the following principles regarding medical opinions about the appropriateness and/or quality of medical care which are made for purposes other than the delivery of medical care:

- Opinions regarding the appropriateness and quality of medical care, including but not limited to expert witness testimony, peer review, utilization review and decisions regarding insurance coverage involving care authorization or care denial, should constitute the practice of medicine as defined in state Medical Practice Acts and should be limited to currently licensed physicians whose practice is governed by the respective state's Board of Medicine.
- Opinions, not related to internal group operations, regarding the appropriateness of medical care should be made by physicians who practice or have practiced in the same specialty, who possess an active, unrestricted license (preferably in the same state), and with at least comparable certification and expertise as the physician whose medical care is under review.
- Baseless, knowingly false, or materially misleading opinions regarding diagnoses, treatment decisions, and the standard of care are a violation of a physician's professional code.
- Physicians engaged in reviewing the quality of medical care provided by another physician should be members of a recognized professional organization that conducts or supports peer review, and their opinions, decisions, testimony, and qualifications should be subject to review.
- Opinions regarding the appropriateness of medical care that are without basis, that are knowingly false, or that are materially misleading should be subject to disciplinary actions by medical licensing boards and/or specialty societies.

ACEP supports working in conjunction with national medical certifying boards and state medical licensing boards to address any variation in medical practice that falls outside accepted professional standards or that violates state Medical Practice Acts.

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