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# UTAH DEPARTMENT OF COMMERCE

## Division of Professional Licensing

MARGARET W. BUSSE  
Executive Director

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Division Director

## Medical Malpractice Prelitigation Panel

From: Division of Professional Licensing/Prelitigation  
Re: Required Medical Malpractice Prelitigation Panel Participation

Dear Provider,

You have been appointed to serve on the Utah Prelitigation Panel.

The law places upon all licensed health care providers as a condition of licensure, an obligation to participate at reasonable times, places, and intervals as a member of pre-litigation panels. You may not be excused from appearing and participating as a panel member unless you are able to document in writing that your participation would create an unreasonable burden or hardship upon you or that you are no longer practicing and knowledgeable in the required specialty. You will be expected to approach your appointment in a neutral and objective fashion. The panel should last no longer than two hours. Medical Residents are exempt from this process. (Please reply to the division if this is your status).

While we recognize the importance of your patient schedule and the burden this appointment presents, the division must take a firm stance that except in extraordinary circumstances, your patient schedule is not unique and can be arranged to accommodate this appointment. Please refer to [Utah Code Section 78B-3-416\(5\)](#). We will make every attempt to spread this burden equitably among your peers in future cases.

Attached is an "Appointment and Order to Serve as a Member of a Medical Liability Prelitigation Panel" document which will contain your appointment date and time, and an informational guide to assist in Prelitigation process.

Upon your confirmation a copy of the "Notice of Intent" (NOI) and "Request" related to the case will be emailed to you. This "NOI" and Request will provide you important details of the case.

All panel reviews are conducted via virtual meeting. Each meeting is allotted a time frame of 2 hours. You must make yourself available for that full 2 hours and will only be excused after the panel has completed deliberation. About two weeks prior to your appointed appearance, you will receive an invitation to the virtual meeting appointment. Please accept this appointment. You will receive the invitation for 15 minutes prior to the panel review start time. This is to ensure we may resolve any prior technical difficulties one may be having, ensuring the meeting starts timely. Please sign in prior to the scheduled time to confirm you have a working camera and microphone. Parties to the Prelitigation case may request your email information in order to provide documents related to the case for your review. You will typically receive any case related documents the day before, or the morning of the panel review

Thank you in advance for your participation in the Prelitigation process.

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