



# AMA Organized Medical Staff Section 2024 Annual Meeting

## Welcome

# Navigating Physician Employment: Empowering Medical Staff in a Hospital-Led Environment

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# Learning Objectives

- Review medical staff self-governance principles, policy and law
- Describe examples of and potential for conflicts, including conflicts of interest, between employed and independent medical staff members
- Address situations threatening medical staff self-governance in all-employee medical staffs
- Present solutions to protect medical staff-self-governance without sacrificing physician livelihoods



# Medical Staff Self Governance Is

- (a) initiation, development and adoption of medical staff bylaws, rules & regulations
- (b) approval or disapproval of amendments to the medical staff bylaws, rules & regulations
- (c) selection and removal of medical staff officers
- (d) establishment and enforcement of criteria and standards for medical staff membership
- (e) establishment and maintenance of patient care standards
- (f) accessibility to and use of independent legal counsel
- (g) credentialing and delineation of clinical privileges
- (h) medical staff control of its funds
- (i) successor-in-interest rights

AMA Policy H-235.980



# Medical Staff Self Governance Is Called For Under

(a)Joint Commission Standards

(b)Federal Medicare Conditions of  
Participation

(c)Certain state laws & regulations



**MEDICAL STAFF SELF-  
GOVERNANCE IS  
REQUIRED  
-HOSPITAL EMPLOYMENT  
NOTWITHSTANDING**

# Does Hospital Employment Tip The Balance?

## Physician Priorities

- Duty to Patients
- Professionalism
- Conflict of Interest Addressed
- Duty to Medical Staff Organization
- Duty to Colleagues

## Hospital Power

- Hire & Fire
- Duty of Loyalty
- Pay-or Not
- Control Contracts
- Non-competes- NOT Non-Profits
- References for Future Employment/Membership
- Impose Disciplinary Action
- Report to State Licensing
- Report to Data Bank



# Can hospital physician employment work for the hospital medical staff?



# GET HELP HERE

- **AMA PRINCIPLES FOR STRENGTHENING THE PHYSICIAN-HOSPITAL RELATIONSHIP**
- **AMA PHYSICIANS GUIDE TO MEDICAL STAFF ORGANIZATION BYLAWS**
- **AMA PHYSICIANS GUIDE TO HOSPITAL EMPLOYMENT CONTRACTS**
- **AMA OMSS**

