

Medical Staff – Its Health and Membership

33RD ANNUAL HEALTH LAW CONFERENCE

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Overview

- ▶ Medical Staff Impairment Policies and Health Issues
- ▶ Aging Practitioner Issues
- ▶ Advanced Practice Professionals (APRN and PA) and Medical Staff

Traditional Impairment Policy:

- ▶ Reporting
- ▶ Investigation
- ▶ Rehabilitation/Treatment
- ▶ Return to Practice/Reinstatement

Focus was Substance Abuse ...

Required Health Status for Medical Staff

- ▶ Joint Commission: No health problems that could affect ability to perform privileges requested
- ▶ CMS COP for Hospitals, Surgical Services: IG reference “health status” in privileging for surgical services
- ▶ Texas Standardized Credentialing Application:
 - #22 Do you have any reason to believe that you would pose a risk to the safety or well-being of your patients?*
 - #23 Are you unable to perform the essential functions of a practitioner in your area of practice, with or without reasonable accommodation?*

Required Health Status

- ▶ Must be a qualification for membership and clinical privileges
- ▶ Should be listed in Medical Staff Bylaws with detail in Medical Staff policy
- ▶ As a qualification, this provides the authority to request documentation of compliance
 - Initial application
 - Reappointment
 - In between appointments

How we learn about concerns about health:

- ▶ Nursing and other Hospital staff
- ▶ Other members of Medical Staff
- ▶ Peer review of a practitioner's cases
- ▶ Complaints by patients/families
- ▶ Self-referral by the practitioner or disclosure on application or between appointments

Concerns should be handled in accordance with bylaws and health policy

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