## NORTON ROSE FULBRIGHT

## 2024 UT Health Law Conference

**Operational Impact of Significant Cases** 

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Issues affecting hospitals and healthcare providers Physician credentialing

## EEOC v. Yale New Haven Hospital Inc. p. 1

- The Plaintiffs' Complaint seeks to end unlawful employment practices on the basis of age; redress interference with rights protected under the ADA; stop medical examinations in violation of the ADEA and ADA; and provide appropriate relief to aggrieved employees and individuals who were adversely affected by such practices
- "because YNHH medical staff privileges are a condition of employment as a clinical faculty member of the Yale School of Medicine and other local employers, the Policy interferes with the enjoyment and rights protected by the ADA of Yale School of Medicine employees and other local medical employees"

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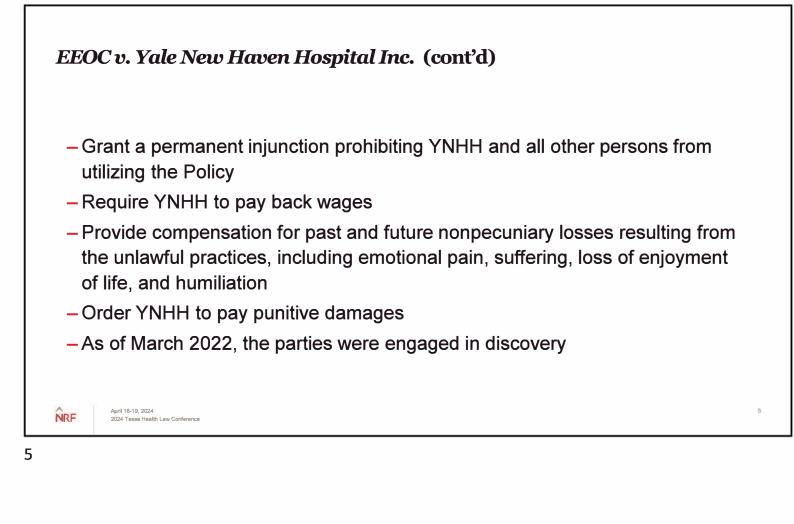
EEOC v. Yale New Haven Hospital Inc. (	(cont'd)
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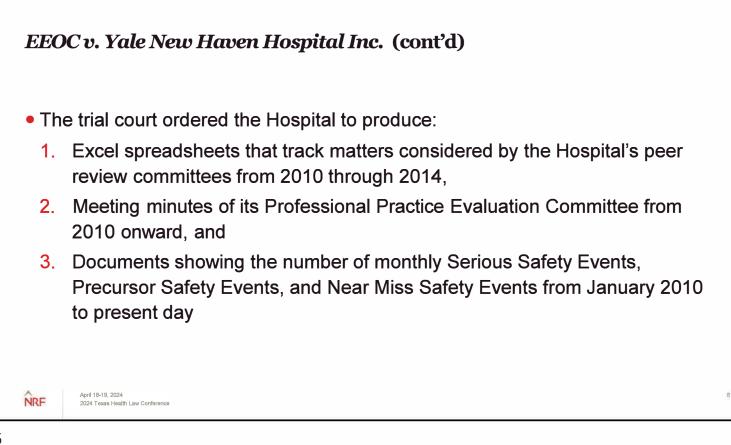
- Per the Complaint, all Yale School of Medicine faculty with appointments, must obtain medical staff privileges and YNHH with appropriate clinical privileges
- At the time of initial appointment and every two years thereafter, all physicians and other practitioners who are members or affiliated members of the YNHH Medical Staff must have an evaluation of their skills and competence
- Since March 2016, YNHH imposed an additional condition on the granting of privileges only for those age 70+ through the Policy
- Only those 70 and older are subject to the Policy without any particular suspicion of decline in eyesight or neuropsychological ability

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EEOC v. Yale New Haven Hospital Inc. (cont'd)
<ul> <li>The EEOC asks the court to, among other things:</li> <li>Enjoin YNHH from engaging in any employment practice which discriminates on the basis of age</li> <li>Order YNHH to institute and carry out policies, practices and programs which provide equal employment opportunities for individuals 70 years old and older, and which eradicate the effects of its past and present unlawful employment practices</li> </ul>
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