Contents

About the Authors vii

Chapter 1  What Constitutes the Medical Staff? 1

1.1  What Is the Medical Staff Membership and Its Relationship to the Hospital? 1
1.2  What Is the Difference between Credentialing and Clinical Privileges? 4
1.3  Levels of Membership 7

Chapter 2  How Is the Medical Staff Governed? 9

2.1  Medical Staff Bylaws 9
2.2  Regulation of and Compliance with Bylaws 10

Chapter 3  Peer Review and Fair Hearing Processes 21

3.1  What Are the Peer Review and Fair Hearing Processes? 21
3.2  Why Are the Peer Review and Fair Hearing Processes necessary? 22
7.4 Procedural Rights Triggered by Summary Suspensions 62
7.5 Reporting Summary Suspensions 62
7.6 Sanctions for Failing to Report to NPDB 64

Chapter 8 Notice Requirements for Peer Review Process 67
8.1 Notice under HCQIA 67
8.2 Hearing under HCQIA 68
8.3 Hearing Process under HCQIA 68
8.4 Witness List 69
8.5 Waiver of Hearing Rights 69

Chapter 9 Formal Peer Review 71
9.1 Discovery 71
9.2 Selection of Panel Members 72
9.3 Hearing Officer 74
9.4 Roles of Counsel 74
9.5 Hearing 77
9.6 Decision 79
9.7 Appellate Review Process 82
9.8 Challenges to Peer Review 83

Chapter 10 Future Issue Related to Peer Review and Medical Staff/Practical Advice 85
10.1 Employment of Physicians and Its Effect on Physicians’ Right to Fair Hearing Process 85
10.2 ACOs and Their Effect on Physicians’ Right to Fair Hearing Process 87
10.3 Economic Credentialing 88