

**PHYSICIAN-HOSPITAL RELATIONSHIPS**

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**Overview**

- Credentialing
- Hospital-Medical Staff Governance
- Models for Physician-Hospital Integration

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**Credentialing**

- Licensure and Accreditation Obligations
- “Exclusive” or “Economic” Credentialing
- Liability for Negligent Credentialing

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**Governance Issues**

**Licensure requirements:**  
Every hospital shall have an active medical staff to deliver the preponderance of medical services within the hospital. The active medical staff shall be responsible for its own organization and administration and should perform all significant duties pertaining thereto. Every member of the active medical staff shall be eligible to vote at staff meetings and to hold office. 28 Pa Code §107.4

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**Governance Issues**

- Medical Staff Bylaws as enforceable contracts
- Immunity for Peer Review activity:
  - HCQIA
  - PA Peer Review Protection Act

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**Models for Physician-Hospital Alignment and Integration**

- **Physician Employment**
  - Traditional
  - Virtual Private Practice
  - Physician Enterprise/Foundation Model
- Practice Leasing Model
- Management Services Agreement:

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**Models for Physician-Hospital Alignment and Integration**

- **Accountable Care Organizations**
- **Shared Pay-For-Performance**
- **Bundled Payment Initiative**
- **Pioneer ACOs**
- **Gainsharing Programs**
- **Clinical Co-Management**
- **ASC and other Ambulatory Freestanding Joint Ventures**

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**Models for Physician-Hospital Alignment and Integration**

- **Contractual Joint Ventures**
- **Donation or Subsidies of EHR**
- **Recruitment Agreements**
- **Stark Fair Market Value Exception**

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