

Medical Staff Clinician Support Policy

Purpose:

The Clinician Support Committee is a standing committee of the Medical Staff whose purpose is to recognize that the well-being of members of the Virtua Medical Staff is essential to caring for the health and wellness of Virtua patients, families, and communities. To that end, the Clinician Support Committee shall provide assistance, support and guidance to Physicians and Advanced Practice Providers (“APP”) who may be struggling with personal and/or professional impairment issues such as mental health crises, substance abuse or cognitive and disruptive behavioral issues.

Responsibilities:

The Clinician Support Committee shall:

- (a) In conjunction with the Virtua Wellbeing team, provides ongoing education to Administrative Leadership, Physicians and APPs, hospital personnel, and their families concerning impairment issues.
- (b) assist with review and evaluation of Physicians and APP issues referred to the Clinician Support Committee.
- (c) evaluate and make appropriate referrals to outside provider assistance professionals (e.g. PAP);
- (d) Make recommendations to the Medical Executive Committee (“MEC”);
- (e) follow up and monitor Physician and APP participation in treatment until such time as rehabilitation or any Medical Staff process is complete.

Authority/Reporting Structure:

Pursuant to the Medical Staff Organizational Manual of the Medical Staff Bylaws, Policies, and Rules and Regulations of Virtua Health (the “Organizational Manual”), the authority of the Clinician Support Committee is delegated to it by the Executive Committee of the Medical Staff.

Committee Members (8):

The Clinician Support Committee shall consist of the following members:

- A. Chair of committee determined by Presidents of Medical Staff

- B. Three physicians (one physician from each hospital division) appointed by the President of Medical Staffs representing three different specialties,
- C. VP, Medical Affairs
- D. Secretary/Treasurer from each Medical Staff, South, North, West
- E. Hospital legal counsel will attend all meetings

Adhoc Members:

- A. Local CMO

Meetings

The Clinician Support Committee shall hold a standing quarterly meeting, in addition to ad hoc meetings as needed based on Practitioner issues. Meeting minutes shall be taken

Confidentiality

Information in any form provided to, or created by, the Clinician Support Committee shall remain strictly confidential, provided, however, that the Clinician Support Committee shall disclose such information in accordance with legal or regulatory requirements, or as otherwise determined by the Clinician Support Committee.

Physicians and APPs who are evaluated by the Clinician Support Committee shall be advised as to how the information may be disclosed and provided with an authorization for disclosure. Guidance shall be given regarding certain disclosures that do not require authorization, such as to the BME, PAP, etc.

The Clinician Support Committee may seek pertinent information from others not serving on the Clinician Support Committee; however, all meetings of the Clinician Support Committee will be conducted in Executive Session. Minutes will be maintained in Medical Affairs & Credentialing Services, and records kept will identify individual Medical Staff members and APPs by a coded number rather than name.

The Clinician Support Committee records shall be accessible to the Clinician Support Committee members, with specific permission by the Committee Chairman. A summary of the Clinician Support Committee meetings and outcomes will be forwarded to the Hospital Presidents and Medical Executive Committee(s) of the hospitals at which the clinician is credentialed.

At the discretion of the Chairman of the Clinician Support Committee and the VPMA, records or other information obtained or developed by the Clinician Support Committee may be shared with the President and COO of the Hospital.

Procedure:

General:

Practitioners who are or may be affected by a Health Concern (as defined below) may be referred or may self-refer to the Clinician Support Committee for assistance. Health Concern is defined as: A physical, mental, emotional or behavioral condition that impairs a practitioner's clinical practice and may include, but is not limited to:

- Substance abuse
- Psychiatric disorders
- Cognitive disorders
- Organic brain disorders
- Disruptive behaviors (as related to the above)

The Clinician Support Committee may assist with referral for assessment of Practitioners credentialed by the Medical Staff who have been identified as impaired or potentially impaired and to monitor their participation in treatment or other recommended interventions until such time as rehabilitation or any disciplinary medical staff process is complete.

Referral Process:

- Self-Referral: Practitioners suffering from a physical, mental/emotional/behavioral condition may self-refer to the Clinician Support Committee by completing the Clinician Support Committee referral form. The Clinician Support Committee will provide a list of available resources for diagnosis and treatment and may provide a Clinician Support Committee Advisor to serve as a Resource/Mentor. In accordance with the Organizational Manual, the Clinician Support Committee will advise the Practitioner's department chairperson of the nature of the concerns to assure patient and colleague safety.
- Third Party/Hospital Colleague Referral: The Clinician Support Committee will also accept a referral from a Department or Committee Chairperson or a Medical Staff Officer, who can refer a Practitioner to the Clinician Support Committee by completing the Clinician Support Committee referral form. In the event that information regarding a possibly impaired Practitioner comes from another source (colleague, family member, hospital personnel) who indicates possible impairment directly to the Committee, this information will be communicated to the VPMA, Hospital CMO, and the appropriate Department Chairperson and/or Medical Staff Officers to determine the need of referral. The affected Practitioner's Department Chairperson will be a part of the evaluation process of the possibly impaired Practitioner, as further described below.
- Referral from Credentials Committee: The Clinician Support Committee will also accept a referral for information and/or review of possible impairment of new applicants to the Medical Staff from the Credentials Committee.

Evaluation Process: The Chairperson of the Clinician Support Committee will review and evaluate each referral to the Clinician Support Committee to determine whether such referral is appropriate for the involvement of the Clinician Support Committee. In the event that the Chairperson determines that such referral is appropriate for the Clinician Support Committee, they will convene an Clinician Support Committee meeting to review the concerns raised by the referral. In conducting its review and evaluation of a referral, the Chairperson and/or Clinician Support Committee may, without limitation:

1. Review charts and other documentation pertinent to the concerns identified; and
2. Request to interview persons regarding the concerns, including the Practitioner who is being referred.

The Practitioner being referred will have the right to attend and participate in the Clinician Support Committee meeting.

In some instances an intervention team may be requested by a Practitioner's Department Chairperson and/or the President of the Medical Staff and approved by the Clinician Support Committee following the Clinician Support Committee initial review and evaluation of a referral. The intervention team will be comprised of one or more members of the Clinician Support Committee and a consultant(s) selected by the Clinician Support Committee chairperson or his/her designee to assist the Clinician Support Committee during the intervention process. Each consultant will serve for only so long as a case is being evaluated. The Clinician Support Committee member(s) who serve(s) on the intervention team will be responsible to report the teams' findings to the Clinician Support Committee.

After discussion and evaluation at the Clinician Support Committee meeting, the Clinician Support Committee may recommend:

1. that a Practitioner obtain either a psychological, psychiatric and/or physician examination relevant to the referred matter;
2. that the Practitioner be required to obtain a report from his/her treating physician/psychologist stating the Practitioner is able to engage safely in the practice of medicine and obtain subsequent periodic reports from his/her treating physician/psychologist for a period of time specified by the Clinician Support Committee or appropriate department chairperson;
3. that appropriate processes are in place to ensure the recommendations of the Clinician Support Committee are being followed; and
4. That the VPMA, Practitioner's department chairperson and Medical Executive Committee be advised of any failure to adhere to the Clinician Support Committee recommendations or any concerns that the effected Practitioner is unable to safely practice medicine.

- a. Medical Staff – if the Clinician Support Committee does not feel its recommendations are being followed, the Clinician Support Committee Chairperson will notify the VPMA and the Practitioner’s Department Chairperson for consideration of appropriate corrective action in accordance with Article 8.F and 8.G as set forth in the medical staff bylaws and Article 6 of the Medical Staff Credentialing Policy.

Form Stipulation Agreement: In the event that a practitioner becomes subject to a stipulation with the New Jersey Board of Medical Examiners, the Clinician Support Committee may suggest the following form Medical Staff Stipulation Agreement for use by the Medical Executive Committee:

Medical Staff Stipulation Agreement
Peer Review Protected

[Practitioner Name] and the Medical Executive Committee of Virtua enter into the following stipulation:

1. [Practitioner Name] agrees to comply with the terms of the Stipulation imposed by the NJ State Medical Examiners and to keep the Clinician Support Committee Professional Clinician Support fully informed in a prompt manner of his compliance with such terms as well as any deviation therefrom. [Practitioner Name] will provide copies of all drug screening test results and all reports issued by the NJ State Medical Examiners within seven (7) days of receipt, except for positive results which must be reported immediately by [Practitioner Name]. [Practitioner Name] will promptly notify the Clinician Support Committee of any change in his status with the NJ State Medical Examiners.
2. In addition, [Practitioner Name] agrees to submit to random and for cause mental, physical, or medical competency examinations, including any biological fluid testing, requested by the President of the Medical Staff, Chair of the Department, the Chairman of the Clinician Support Committee, Chief Executive Officer, or their designees. [Practitioner Name] agrees to make himself promptly available for these examinations and to pay all charges for these examinations. [Practitioner Name] further agrees to appear in person before the Executive Committee, the Clinician Support Committee or an ad hoc committee for interviews when so requested.
3. [Practitioner Name] agrees that this Agreement is not disciplinary action under the Americans with Disabilities act or similar NJ law. [Practitioner Name] agrees that the Stipulation has been formulated by the desire to protect patient safety in [Practitioner Name]'s best interest.
4. [Practitioner Name] acknowledges that this Stipulation will remain in effect at least for the duration of the NJ State Board of Medical Examiners stipulation, is separate from that entered into by and between [Practitioner Name] and the NJ State Board of Medical Examiners and that its duration is not contingent upon an is no way limited by the duration of the NJ State Board of Medical Examiners stipulation.
5. [Practitioner Name] acknowledges that failure to comply with the terms of this Stipulation may result in corrective action, including the loss of privileges at Virtua Health. [Practitioner Name] further acknowledges that the Medical Executive Committee may initiate corrective action proceedings or take appropriate corrective action whenever cause arises in accordance with he Medical Staff Bylaws; this Stipulation in no way limits or affects the Medical Executive Committee's ability to take such action.
6. [Practitioner Name] understands that should he/she desire that this Stipulation be modified, he/she must request such modification and provide reasons to the Clinician Support Committee. [Practitioner Name] agrees that the Clinician Support Committee's refusal to modify the terms of the Stipulation is not a limitation of privileges and does not give rise to

due process rights outlined in the Medical Staff Bylaws and Fair Hearing Plan. The Medical Executive Committee, however, agrees to give [Practitioner Name] an opportunity to appear before the Medical Executive Committee before approving a recommendation by the Clinician Support Committee Professional Health Committee to deny his request to modify this Stipulation.

7. [Practitioner Name] understands that he/she has the right to consult an attorney regarding this matter and agrees that he has either done or has affirmatively determined not to do so.

Virtua Medical Executive Committee

Entered this _____ day of _____, 20____.

[Practitioner Name]

[Name], Medical Staff President