

Board Meeting
December 2, 2011

REVISE MEDICAL STAFF BYLAWS AND THE MEDICAL STAFF RULES AND
REGULATIONS, UNIVERSITY OF ILLINOIS HOSPITAL AND HEALTH
SCIENCES SYSTEM

Action: Proposed Changes to the Medical Staff Bylaws and to the Medical Staff Rules and Regulations

Funding: No New Funding Required

The Vice President for Health Affairs recommends amendments to the Medical Staff Bylaws of the University of Illinois Hospital and Health Sciences System (Bylaws). Under the Bylaws, the medical staff must review both its Bylaws and the Medical Staff Rules and Regulations of the University of Illinois Hospital and Health Sciences System (Rules and Regulations) each year to update them for changes in regulatory and clinical practice. This year, an extensive review was undertaken to assure compliance with recent changes to State laws and accreditation standards from The Joint Commission and other regulatory bodies.

The process included review of both documents by in-house counsel as well as an outside attorney well versed in the changing regulations. The attorneys met with the medical staff's Bylaws Committee to consider its proposals as well as other potential changes. The subsequent document was recommended to the membership of the medical staff at its annual meeting. In accordance with the Bylaws, the document

was submitted to the membership for consideration thirty days prior to its annual meeting. It was approved unanimously by the medical staff on October 13, 2011, and forwarded to the Vice President for Health Affairs for presentation to the Board of Trustees. Amendments made become effective only upon approval by the Board of Trustees.

Overall, there were 390 additions to and deletions from the Bylaws document which was last reported to the Board of Trustees on January 21, 2010. In view of these extensive changes, both the edited versions of the documents as well as the proposed documents are submitted for consideration. A summary of the more substantive changes is presented as follows:

Proposed Amendments to the Bylaws of the Medical Staff

- The document title has changed from “Medical Staff Bylaws of the University of Illinois at Chicago Medical Center” to “Medical Staff Bylaws of the University of Illinois Hospital and Health Sciences System.”
- Leadership has changed title from CEO, Healthcare System to Vice President for Health Affairs.
- Language to further protect medical information and clinical investigations:
 - Definitions provided in the Patient Safety Act and the Medical Studies Act, confidentiality and privilege protection for peer review and quality information under State and federal law, were incorporated into the Medical Staff Bylaws.

- Changes to membership/application requirements
 - Insurance requirements were strengthened regarding private practitioners practicing within University facilities.
 - Language was added to terminate a medical staff appointment when a faculty appointment is ended. This important provision gives control of staff membership to the colleges to assure quality teaching of students and residents.
 - Changes to the telemedicine provisions were made to assure consistency with new State law.
 - Appointees, upon initial application, will conform to the mandated State form under the Illinois Data Collections Act.
 - Those individuals denied appointment to the medical staff upon initial application will no longer be entitled to a hearing under the medical staff process.
 - Applicants are expected to provide truthful information on applications for membership on the medical staff. Likely consequences in the event that false information is provided are denial of the application or removal from the medical staff.

- Changes to the Disciplinary Process
 - “Corrective action” was changed to “remedial action” to reflect common standard practices.
 - Emphasis was placed on “collegial intervention” as the initial approach to changing unwarranted behavior.
 - Specific grounds detail the consideration of remedial action involving medical staff.

- The time frame of remedial action was changed to conform to federal law.
- Changes were made to the remedial action process to protect both member and institution.
- Requirement for Summary Suspension
 - Requirements were changed under recent State law to require “actual documentation or other reliable information that an immediate danger to patient wellbeing exists”.
 - The Medical Staff Executive Committee must review recommendations for summary suspension within four days of the date such is imposed or as soon thereafter as is possible and may invite the member to address why the suspension should not be imposed.
 - The member has full rights to a hearing under the provisions of Article VI of the Bylaws.
 - A suspended member of the medical staff must wait two years before reapplying.
 - The timing of hearings was revised to conform to State and federal law.
 - Standard grounds for a hearing were added.
 - The hearing panel was defined.
 - Involvement of the governing board was defined.
- Executive Committee
 - The Medical Staff Executive Committee is given the right to adopt “urgent amendments” to the Medical Staff Rules and Regulations without prior notification of the medical staff in cases of documented necessity to comply with

laws or regulations. The amendment would be forwarded to the Board of Trustees for final approval and then communicated to the medical staff subject to conflict management procedures under Article XVI. This change was made to conform to new policy of The Joint Commission.

- Member Communication with the Board of Trustees and Conflict Management Process
 - The organized medical staff may propose rules, regulations, policies, and amendments directly to the Board of Trustees, bypassing the Medical Staff Executive Committee. The Medical Staff Executive Committee has the right to review and provide comment to the Board of Trustees prior to its final review and approval. This provision, required by The Joint Commission, is an attempt to prevent the Medical Staff Executive Committee from controlling the organized medical staff's agenda.
 - Provisions were inserted to assure orderly management of any conflicts which might arise between hospital administration and the medical staff.

Proposed Changes to the Rules and Regulations of the Medical Staff

The changes to the Rules were minor in nature:

- Added a Committee on Sedation and Analgesia to control hospital-wide practices in an effort to ensure safety.
- Deleted "Limited Privileges" category of membership which was viewed as redundant.
- Acknowledged the responsibility of applicants to the medical staff to familiarize themselves with the Bylaw and Rules and Regulations, and abide by them.

- Eliminated the requirement for PAP smears for all in-patient females, since this procedure is now seen as an outmoded requirement.

The Board actions recommended in this item comply in all material respects with applicable State and Federal laws, University of Illinois *Statutes, The General Rules Concerning University Organization and Procedure*, and Board of Trustees policies and directives.

The President of the University concurs.