POLICY ON TRANSITION ISSUES ARISING WHEN A CLINICAL FACULTY MEMBER LEAVES THE UNIVERSITY

Washington University School of Medicine
Faculty Practice Plan

Adopted: July 31, 2003
Amended: June 7, 2005

WHEREAS, the Washington University School of Medicine has a large clinical faculty serving the greater St. Louis metropolitan area;

WHEREAS, individual faculty members sometimes leave the faculty of the School of Medicine to establish a clinical practice elsewhere in St. Louis, or in another part of the country;

WHEREAS, these faculty departures necessarily involve the need to communicate with patients and with the departing physician over coordination of care, handling of medical records, patient scheduling, change in practice locations, and other related matters;

NOW THEREFORE, the Faculty Practice Plan of the Washington University School of Medicine hereby adopts the following policy:

I. Applicability: This policy will be applied whenever a faculty member employed by Washington University leaves his or her position with the University to engage in patient care activities at another location, provided, however, that this policy will not be applied to the extent that it conflicts with any provisions or restrictions in the departing faculty member’s employment contract, clinician track agreement, restrictive covenant, or other terms of employment with the University.

II. Notification of Patients: Patients who have received care from the departing clinician (or their parent/guardian or authorized representative) will be notified of the departure in one of two ways, to be determined at the discretion of the Department Chair and the President of the Faculty Practice Plan: (1) the University will notify the patients in writing, or (2) the University will provide the departing clinician with his/her patient contact information and the departing clinician will notify the patients. All communications with patients and with the departing clinician, and any disclosures of patient files or other information, must comply with the requirements of HIPAA. If the University notifies the patients, the notification will contain the following information:

a. Notice that the clinician is leaving Washington University;
b. The address of the departing clinician’s new practice location;
c. Information about how the patient can continue care with another Washington University clinician if the patient so desires;
d. A statement that it is the patient’s choice whether to seek medical care with the departing clinician or with another Washington University clinician;

e. Notice that Washington University will forward a copy of the patient’s medical records to the departing clinician’s new practice location upon receipt of an appropriate written authorization from the patient, and (at the discretion of the department) upon receipt of a reasonable fee from the patient to cover the cost of copying the records.

III. Physician Contact Information: If a departing clinician gives Washington University the contact information for his/her new practice location, Washington University will provide that information to anyone who requests it, for a period of 180 days immediately following the clinician’s departure.

IV. Patient Lists and Patient Contact Information. Patient lists and patient contact information are proprietary to Washington University. The University has a protectable interest in such information. Consequently, patient lists and patient contact information will not be provided to the departing clinician without the prior approval of both his/her Department Chair and the President of the Faculty Practice Plan.

V. Equipment and Other Property. Any equipment or other property purchased with University funds, including equipment and property purchased with outside grant funding or with clinical trial funding, belongs to the University. A departing clinician will not be permitted to remove any equipment or other property from the University without the consent of his/her Department Chair, and only if the removal is permitted under the terms of the funding agreement under which the equipment or property was purchased.

VI. Non-Solicitation of Patients and Employees. A faculty member who is planning to leave the University may not, while still employed by the University, solicit patients or employees to transfer their care or employment to the faculty member’s new practice.

VII. Reimbursement Rate Information. The University will not disclose its fee schedule or reimbursement rate information (such as managed care contract rates) to the departing clinician.

VIII. E-Mail. A faculty member’s access to University e-mail will terminate upon the effective date of such faculty member’s termination of employment, unless a department’s internal written procedures permit continued access after termination of employment for a limited period of time, not to exceed 30 days. In no event will University email be forwarded to an external e-mail system.

IX. Research Materials. If the departing clinician has been engaged in research, the disposition of research materials will be governed by the Washington University Intellectual Property Policy and any other applicable University policies. The Washington University Intellectual Property Policy states that “all intellectual property (including lab notebooks, cell lines and other tangible research property) shall be owned by the University if significant University resources were used or if it is created pursuant to a research project
funded through corporate, federal or other external sponsors administered by the University.”

X. University Records. The departing clinician may not remove or copy University records without the prior consent of the Department Chair. University records include electronic records and data as well as paper records.

XI. Legal Review of Written Communications. Any written communications between the Department/Division and the departing clinician or the patients should be reviewed by the Office of the Executive Vice Chancellor and General Counsel prior to transmission.
DRAFT LETTER TO PATIENTS

Date:

Dear _____(Patient Name)____:

We are writing to let you know about a change in our practice group. Dr. _____________ has informed us that he will be leaving Washington University School of Medicine on ____________.

The Department of _________________ is committed to continuity of care for all our patients. If you choose to continue receiving your care with us, we would be pleased to serve you through one of our other highly qualified physicians: ____ (list alternate faculty)____. These individuals are outstanding physicians and will be able to ensure your care here at the Washington University Medical Center continues without interruption. You may call to make an appointment with any of them by calling ________.

(If you already have an appointment pending with us, your appointment will be transferred to one of our other specialists. If a change in time or date is necessary to make this transition, we will contact you to make sure the new time is convenient. If you are not able to or choose not to keep this new appointment, please let us know so that another patient can be seen at that time.)

You also have the option of transferring your care to Dr. _____________ at his new practice (address and phone #). If you would like to have a copy of your records transferred, please notify us in writing by completing the enclosed form and returning it to the address shown. There will be a fee charged to cover the expense of copying and mailing records as allowed by State and Federal laws. If the estimated charge is over $10, we will contact you to verify that you want us to proceed and to arrange for payment in advance.

We are dedicated to helping you obtain the best possible medical care and would be pleased to help you in any way. Please feel free to contact us at any time.

Cordially,