Is this my dream job? What do I watch out for?

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Objectives

- Know what questions to ask (and of whom) before you even visit your first potential employer
- Understand common problems and issues in contracting with an employer
- Know what you need to have spelled out before you sign on
Six Biggest Gripes of Employed Physicians

- Lack of Job Security
- Changes in Compensation
- Burdensome Call Schedule
- Lack of Business Control
- Lack of Clinical Autonomy
- Tyranny of Non-compete Clauses
What is a contract?

An agreement creating obligations enforceable by law.

- mutual assent
- consideration
- capacity
- legality

http://www.law.cornell.edu/wex/contract
Before you start

- What do you want
- What do you need
- Must have
- Don’t want
- Can’t tolerate
- What’s negotiable
- Make a list
- Include your spouse/SO
How Much and How

- Base salary
- With bonuses
- Bonuses for ?
- Sign on bonuses and moving expenses
- Duration
Bonuses

- Productivity
- Quality
- Other factors
- % potential
- Achievability
Productivity

- Based on RVU (Relative Value Units)
- Based on billings = charges
- Based on billings = collections
- Based on other?
Compensation Cautions

- Federal Anti-kickback Statute and Stark Laws (or state versions)
What expected for pay

- Performance Requirements
  - Call
  - Medical Records
  - E-mail
  - Phone calls
  - Other duties as assigned
    - Moonlighting allowed?
    - Outside talks?
    - Intellectual property?
Chain of Command

- Who’s your boss
- Who are you the boss of
- Clinical Staff
- Administrative Staff
- Real Estate
- Contractors
- Equipment
Malpractice

- Occurrence
- Claims Based
Benefits

- Vacation
- CME
- Memberships
- Disability
Gotcha’s

- Restrictive Covenants
  - Distance
  - Specialty
  - Time/Duration
Restrictive Covenant

- Don’t count on it being ignored
- Understand their position
- Negotiate – distance, time
- Onset/offset
- Buyout
- Private practice option
Gotcha’s (continued)

- At will = termination without cause
- HR rules may be different
- Mandatory resignation from Medical Staff
Physician terminated after Facebook comment sues Spectrum

GRAND RAPIDS, MI – An emergency room doctor has sued Spectrum Health, saying her position was terminated and she was wrongfully accused of a HIPAA violation over a comment made on Facebook.

Dr. Catherine Puetz, the former associate medical director of the emergency services, filed the suit Friday, March 14, in U.S. District Court against Spectrum Health Hospitals and two executives – Kevin Splaine, president of the hospitals; and Jeanne Roode, vice president.

The lawsuit involves a Facebook post made in August 2013.

Puetz says she saw a picture Aug. 5, 2013, posted by an emergency department nurse that showed the backside of a woman. Believing she recognized the woman as someone she had seen in public and in the emergency department, Puetz posted a comment on the photo: “OMG. Is that TB?”

According to the lawsuit, the Facebook post and comments were investigated by Spectrum, and some employees were fired and some were not.

Puetz said a nurse who posted “I like big butts and I cannot lie ...” – an apparent nod to the popular Sir Mix-A-Lot song – was only reprimanded, not fired.
Negotiating

- You?
- No such thing as standard
- Needed
- Or your need
- Ask
- Yes and No
- Closing doors
Negotiating Nevers

- I’m not a business person
- Take it or leave it
- I have another offer (if you don’t)
- I have to be honest
- You have to do better
- That’s not negotiable (if it is)
- Ask for something after you’ve agreed
Negotiating always

- Get it in writing
- Ask for more than you want
  - Relocation and temporary housing
  - Student loan repayment
  - Housing assistance
  - Sign on Bonuses
  - Introductions for spouse
Have fun!

- You have skills wanted in the market
- Don’t undervalue
- Know what you want
- Consult an attorney
- Signing can be years of commitment
  - Or you may be moving in 6 months
Questions?

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References

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  - [www.consultpmsco.com](http://www.consultpmsco.com)
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