**POLICY: FACULTY APPOINTMENT & MALPRACTICE PREMIUMS FOR TRAINEES**

**Policy Number: 5.1**

**Chapter: Faculty Appointments**

**Purpose:**
To outline the requirements and procedures for trainees to receive a concurrent faculty appointment and the associated malpractice premiums.

**Policy:**
There may be times when it is acceptable for a specific trainee to have a concurrent faculty (Visiting Instructor) appointment. Such appointments must have the approval of the Graduate Medical Education (GME) Office as outlined below.

A. Only trainees who are board certified or board eligible in their primary specialty will be considered for a concurrent faculty appointment, and only if specific conditions warrant a faculty appointment.

B. The trainee’s increased liability insurance premium is paid out of department funds, not hospital funds.

C. Liability premiums shall be determined in accordance with the Malpractice Premiums for Fellows Acting as Faculty form (found in MedHub or obtained from the GME Office).

D. The trainee must be employed under a job code, be paid at the usual trainee rate for their level of training, and receive trainee benefits. Additional Compensation paid for this faculty appointment must comply with GME Policy 2.3, Additional Compensation.

E. Trainees cannot bill independently for services they provide as part of their ACGME training program. Trainees with concurrent appointments are responsible for clarifying which services are considered outside the scope of ACGME training and eligible for independent billing. It is the responsibility of
the associated ACGME program to provide guidance to trainees on this topic and trainees are expected to seek any needed clarification prior to signing notes or closing encounters.

F. It is the responsibility of the department and trainee to ensure proper coding to avoid billing violations and loss of reimbursement from the Centers for Medicare and Medicaid Services (CMS). If such errors occur, the department will incur the cost.

G. The School of Medicine Appointments Committee shall be instructed to hold appointments on all trainees until a GME Office letter of approval is in the appointment file.

H. **Trainees with a J-1 Clinical visa may not hold a faculty appointment, bill for services in their name, nor moonlight in any capacity.**

**PROCEDURE:**
A. Prior to initiating a faculty appointment through the Medical Staff Office and the Faculty Administration Office, the program must first submit, to the GME Office, a letter of request which includes:
   1. The purpose of the appointment,
   2. The Malpractice Approval form and
   3. The Moonlighting Authorization form

B. Upon review, the GME Office will issue a letter of approval.

C. The program, after receiving GME approval, is responsible for proceeding to complete the faculty appointment application.

D. The program director is responsible for ensuring that trainees receiving faculty appointments meet all credentialing requirements for the hospitals where they will act as attending physicians. **Trainees with a concurrent faculty appointment will not appear on the Medicare Cost Report for any hospital during the time of the concurrent appointment.**

E. All trainees acting as faculty will contribute to the Trust Fund.
   1. Trainees acting as faculty, solely to cover call will be charged 7% of their primary specialty rate.
      a. These trainees will have no more than 24 call dates annually.
2. Trainees who have completed training and are doing an extra research year with some clinical responsibility will be charged 16% of their primary specialty rate.  
3. The maximum amount of clinical activity for these trainees will be two months. This option is limited to a total of two years per trainee.  
4. Trainees who spend some period of time in an outpatient clinical setting, in their primary specialty, during their fellowship may spend up to one day a week in this setting. The cost of the premium will be 15% of their primary specialty rate.  

G. Established University of Utah School of Medicine faculty participating in fellowship for additional training:  
   1. Liability/malpractice coverage will be paid by the funding department at a rate based on the individual’s percent-effort as faculty per contract.  

H. Trainees who fit into more than one category will be charged at the higher rate.  
I. Trainees may not act as faculty in the sub-specialty area in which they are enrolled as a trainee.  
J. The Malpractice Approval form (found in MedHub or obtained from the GME office) must be signed by the Department Chair and GME Director and transmitted to the School of Medicine Associate Dean, Finance.