



# Medical Staff Bylaw Review Service

Please Print

NAME

MEDICAL STAFF OFFICE CURRENTLY HELD

NAME OF HOSPITAL

PREFERRED MAILING ADDRESS

CITY / STATE / ZIP

PHONE (include area code)

FAX (include area code)

EMAIL ADDRESS

PLEASE FAX TO

**517-337-2490**

ATTENTION: HEALTH CARE DELIVERY

## Questions and Answers

### Q Does my medical staff need independent legal counsel?

**A** Yes, there are times when it is vital for a medical staff to have its own legal representation. Medical staffs enjoying the most influence in today's health care environment have forged partnerships with their hospital boards and administrations for the ultimate benefit of their patients and institutions. As with any partnership, however, the interest of the partners do not always coincide. In these instances, it is wise for each of the partners to consult independent legal counsel to assure that both view points are equally represented when differences are recognized.

### Q When is it best to have independent legal counsel?

**A** Medical staffs should almost always have independent counsel when dealing with issues which directly relate to self-governance. Separate counsel is especially helpful when dealing with bylaw provisions related to credentialing, medical staff organization, and election/removal of officers. Medical staffs involved in fair hearing proceedings may find independent counsel particularly useful because the Health Care Quality Improvement Act and the National Practitioner Data Bank are likely to escalate the number of contested disciplinary actions.



### Michigan State Medical Society

*Leadership for Physicians, Advocacy for Patients*

120 West Saginaw

East Lansing, MI 48823

517-337-1351 • Fax 517-337-2490

[www.msms.org](http://www.msms.org)



The Voice of 15,000 Michigan Physicians

# THE MEDICAL STAFF BYLAW REVIEW SERVICE

Developed for Members of the Michigan State Medical Society Organized Medical Staff Section

Offered by Kerr, Russell and Weber, PLC Attorneys and Counselors



Considering the complexities of the issues associated with providing patient care in the hospital today, legal counsel for medical staffs is more affordable than ever in comparison to the “cost” of inadequate representation. In reality, however, medical staffs have limited resources. For these reasons, the Michigan State Medical Society Organized Medical Staff Section has arranged a program under which medical staffs may obtain legal services.

### Medical Staff Bylaw Review Service

The Medical Staff Bylaw Review Service is available to medical staffs and groups of physician members of a medical Staff who seek services for the benefit of the medical staff. Medical staffs will receive services directly from MSMS’s legal counsel, Kerr, Russell and Weber, PLC.

### Review Service Attorney

The law firm of Kerr, Russell and Weber, PLC applies both legal and health administration experience with providing counsel to medical staffs. The firm’s services range from revising medical staff bylaws to designing the complete reorganization of the medical staff. The attorneys at Kerr, Russell and Weber, PLC have collectively spent over 50 years of their professional careers focusing on the health industry. The firm stresses the concepts of preventative counseling and team building as important and effective elements in avoiding the costly and time consuming alternatives of confrontation and litigation.

### Bylaw Review Services Available

For a fixed fee, medical staffs now have direct access to the following services:

- Review of existing bylaws and advice to the medical staff — \$1,400
- Draft amendments to bylaws — \$950 (per amendment)
- Draft new bylaws — \$2,950
- Periodic review of bylaws previously drafted or amended by Kerr, Russell and Weber, PLC for legal and regulatory compliance and advice — \$750

As described below, noncovered services, including negotiations with hospitals, on-site meetings, and redrafts will be provided on an hourly rate basis. The fixed fees do not include reimbursable expenses which will be billed separately. Fixed fees are payable when services are requested.

### General Legal Services

Legal representation for medical staff that cannot be considered among the services listed will be provided on an hourly rate basis. Services in this category may include, but are not limited to, attendance at meetings, assistance with fair hearing proceedings and advice on regulatory issues affecting the medical staff. Actual charges will vary depending on the attorney performing the service.

### Services This Plan Does Not Cover

Services for the private benefit of individual members of a medical staff are outside the scope of the Bylaw Review Service.

### How to Enroll in the Plan

The provision of legal services will be managed by Kerr, Russell and Weber, PLC. The Michigan State Medical Society and its Organized Medical Staff Section have no responsibility for the provision of legal services of the services offered. However, medical staff satisfaction with the Service will be continuously monitored by the MSMS. To obtain Bylaw Review Services, please contact Patrick J. Haddad or Daniel J. Schulte at Kerr, Russell and Weber, PLC, One Detroit Center, 500 Woodward Avenue, Suite 2500, Detroit, MI 48226-3427; or telephone 313-961-0200

### How to Get More Information

Representatives from MSMS are available to discuss the service with physicians. To request more information, fax the included reply card back to MSMS or contact Stacey Hettiger at MSMS at 517-336-5766 or [shettiger@msms.org](mailto:shettiger@msms.org).

