

Title: Arizona - Access to Confidential Strategic and Business Information by Medical Staff with Significant Adverse Relationships	
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Discrete Operating Unit/Facility: Banner Baywood Medical Center Banner Behavioral Health Banner Boswell Medical Center Banner Casa Grande Medical Center Banner Del E Webb Medical Center Banner Desert Medical Center Banner Estrella Medical Center Banner Gateway Medical Center Banner Goldfield Medical Center Banner Heart Hospital Banner Ironwood Medical Banner Ocotillo Medical Center Banner Payson Medical Center Banner Thunderbird Medical Center Banner—University Medical Center Phoenix Banner—University Medical Center South Banner—University Medical Center Tucson Cardon Children's Medical Center Page Hospital	Arizona Region Banner Corporate Ambulatory Services Banner Health Clinics Banner MD Anderson Cancer Center Banner Surgery Centers Banner Urgent Care Centers Occupational Health/Employee Services Banner Home Care and Hospice Insurance Banner Health Network Banner Plan Administration University Physicians Health Plans Post-Acute Care Services Research

I. Purpose/Population:

- A. **Purpose:** To ensure that Medical Staff Members with Significant Adverse Relationships do not have access to Confidential Strategic and Business Information that may be used against Banner Health, any Medical Center or other facility owned or operated by Banner Health, or the Medical Staffs of such Medical Centers and other facilities.
- B. **Population:** This policy applies to All Employees.

II. Definitions:

- A. Administrator is defined for purposes of this policy to mean any of the following persons: the President of the Arizona Region or the Chief Executive Officer of the Medical Center or any of their respective designees.
- B. Confidential Strategic and Business Information is defined for purposes of this policy as proprietary information of Banner Health or the Medical Center, including strategic, planning, peer review and financial information, including performance and outcome data, except for physician information necessary for credentialing, privilege review and process improvement.
- C. Group Practice Affiliate is defined for purposes of this policy as an individual who is, directly or indirectly, an owner (including, without limitation, a stockholder, partner or member) or an employee of the same group practice of which a Medical Staff Member is, directly or indirectly, an owner or employee.
- D. Immediate Family Member is defined for purposes of this policy as the Medical Staff Member's spouse, children, parents, brothers and sisters, and the spouses of any such child, parent, brother or system.
- E. Medical Center is defined for purposes of this policy as the Banner owned or operated hospital(s) or other facility which is staffed by the relevant Medical Staff.
- F. Medical Staff is defined for purposes of this policy as the organized medical staff of each Banner hospital or other facility of which the practitioner is a Medical Staff Member or applies to become a Medical Staff member.
- G. Medical Staff Member is defined for purposes of this policy as a Medical Staff Member who serves or has been asked to serve on a Medical Staff, hospital, regional or system committee where Confidential Strategic and Business Information may be shared.
- H. Medical Staff Services Office is defined for purposes of this policy as the hospital representative(s) or department responsible for Medical Staff credentialing.
- I. Significant Adverse Relationship is defined for purposes of this policy as a Significant Relationship that, in the opinion of the Administrator, is adverse to the interests of Banner Health, the medical Staff and/or the Medical Center.
- J. Significant Relationship is defined for purposes of this policy as:
 - 1. An ownership or financial interest in any organization or entity by a Medical Staff Member or his/her Immediate Family Member or his/her Group Practice Affiliate that

may conflict with, or have the appearance of conflicting with, the interests of the Medical Staff or competes with, or intends to compete with, the Medical Center or Banner;

2. A Medical Staff Member's or his/her Immediate Family Member's or his/her Group Practice Affiliate's employment by or partnership or similar interest in a group with an ownership or financial interest in any organization or entity that may conflict with, or have the appearance of conflicting with, the interests of the Medical Staff or competes with, or intends to compete with, the Medical Center or Banner;
3. A contract for services, including a Medical Director contract, between a Medical Staff Member or his/her Immediate Family Member or his/her Group Practice Affiliate and an organization or entity that competes or intends to compete with the non-physician services provided by any hospital or other operation or operated by Banner.
4. A leadership position, including chairmanship, held by a Medical Staff Member or his/her Immediate Family Member or his/her Group Practice Affiliate in an organization or entity that competes or intends to compete with the non-physician services provided by any hospital or other operation owned or operated by Banner.

III. Policy:

A. Disclosure:

1. Medical Staff Members who serve, or are asked to serve, on key Medical Staff, Medical Center and/or Arizona Region committees will disclose any actual or proposed Significant Relationship to Medical Center or Arizona Region Administration.

B. Access to Confidential Strategic and Business Information:

1. The Administrator, in consultation with the Chief of Staff (or the Vice Chief if the Chief has a Significant Relationship) and Chief Medical Officer, will determine whether discussion and/or disclosure of Confidential Strategic and Business Information to a Medical Staff Member with an existing or proposed Significant Adverse Relationship could be used in a manner contrary to the interests of Banner Health, the Medical Staff and/or the Medical Center.
2. Where Confidential Strategic and Business Information could be used in a manner contrary to the interests of Banner Health, the Medical Staff or the Medical Center, Medical Staff Members with a Significant Adverse Relationship will not be permitted to have access to Confidential Strategic and Business Information and will be excused from portions of meetings where Confidential Strategic and Business Information is discussed.
3. Medical Staff Members who believe that they have been improperly denied access to Confidential Strategic and Business Information or excused from meetings may request a review by the Regional President and Senior Vice President of Care Management and Quality.
4. Denial of access to Confidential Strategic and Business Information does not give rise to due process rights under the Medical Staff Bylaws and is not reportable to the National Practitioners Data Bank or to the State Medical Board.

IV. Procedure/Interventions:

A. Disclosure:

1. At least once per year, the Administrator will ask members of the Medical Executive Committee to disclose all Significant Relationships.
2. Before appointing a Medical Staff Member to serve on a key Medical Center or Arizona Region Committee and at least annually thereafter, the Administrator will ask such Member to disclose all Significant Relationships.

B. Access to Confidential Strategic and Business Information:

1. The Administrator will determine if any Medical Staff Member has a Significant Adverse Relationship; whether Confidential Strategic and Business Information could be used in a manner contrary to the interests of Banner Health, the Medical Staff and/or the Medical Center; and whether such Member should be denied access to all or some Confidential Strategic and Business Information.
2. The Administrator may remove Confidential Strategic and Business Information from packets provided to a Medical Staff Member with a Significant Adverse Relationship and will excuse such Member from confidential discussions.
3. The Administrator will notify the Medical Staff Member of his/her decision to deny such Member access to Confidential Strategic and Business Information and of the Member's right to seek review of the decision.
4. The Medical Staff Member may request a review of the Administrator's decision by submitting a written request to the Administrator within 10 days of being notified of the decision. Where a review has been requested, Regional President and Senior Vice President of Medical Affairs will give the Medical Staff Member the opportunity to meet, telephonically or in person, with the Regional Administrator and Senior Vice President of Medical Affairs in order to demonstrate why he/she does not have a Disabling Significant Adverse Relationship and/or why he/she should not be denied access to Confidential Strategic and Business Information. The Regional President shall notify the Member of the decision, which shall be final.

V. Procedural Documentation:

- A. N/A

VI. Additional Information:

- A. N/A

VII. References:

- A. N/A

VIII. Other Related Policies/Procedures:

- A. N/A

IX. Keywords and Keyword Phrases:

- A. N/A

X. Appendix:
A. N/A