

**Title: Western Region - Access to Confidential Strategic and Business Information by Medical Staff Members with Significant Adverse Relationships**

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**Discrete Operating Unit/Facility:**

Banner Churchill Community Hospital  
 Banner Fort Collins Medical Center  
 Banner Lassen Medical Center  
 Community Hospital  
 East Morgan County Hospital  
 McKee Medical Center  
 North Colorado Medical Center  
 Ogallala Community Hospital  
 Platte County Memorial Hospital  
 Sterling Regional MedCenter  
 Washakie Medical Center  
 Wyoming Medical Center

**Western Region**

Banner Corporate  
 Banner Health Clinics  
 Banner Surgery Centers  
 Banner Urgent Care Centers  
 Occupational Health/Employee Services  
 Post-Acute Care Services  
 Rural Health Clinics

**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: President of the Western 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. Immediate Family Member is defined for purposes of this policy as the member's spouse, children, parents, brothers and sisters, and the spouses of any such child, parent, brother or system.
- D. 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.

- E. Medical Staff is defined for purposes of this policy as the organized medical staff of each Banner Medical Center or other facility of which the practitioner is a member or applied to become a member.
- F. 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, Medical Center, regional or system committee where Confidential Strategic and Business Information may be shared.
- G. Medical Staff Services Office is defined for purposes of this policy as the hospital representative(s) or department responsible for Medical Staff credentialing.
- H. Significant Adverse Relationship is defined for purpose 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.
- I. 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 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 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 and 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.
  - 4. A leadership position, including chairmanship, held by a Medical Staff Member or his/her Immediate Family Member 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. 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.
- B. 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.

- C. 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.
- D. 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. 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.
- B. The Administrator may remove Confidential Strategic and Business Information from packets provided to a Medical Staff Member with a Significant Adverse Relationship and may excuse such Member from confidential discussions.
- C. 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.
- D. 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 President 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