

Final Objectives 2022-23

Medical-Legal Committee

Chair: Diana Nordlund, DO, JD, FACEP

Board Liaison: Heidi C. Knowles, MD, FACEP

Staff Liaison: Laura Wooster, MPH

1. Develop a peer-to-peer assistance program to provide individual guidance to ACEP members on medical-legal related issues, and other issues as directed by the Board and in conjunction with experts from other appropriate committees or sections of the College.
2. Participate in the review of new clinical policies and provide information on potential medical-legal issues.
3. Revise and update the information paper “Advanced Practice Providers (Physician Assistant and Nurse Practitioner) Medical-Legal Issues” to address medical-legal concerns related to inappropriate scope of practice and inadequate supervision of nurse practitioners and physician assistants in emergency medicine.
4. Develop the following information papers:
 - The corporate practice of medicine, fee splitting, anti-trust issues related to GME, and exhibitors or sponsors at ACEP meetings. Obtain input from the Ethics Committee. (Medical-Legal is the lead committee)
 - Legal ramifications of collective bargaining and unionization for physicians.
5. Continue to work with EMRA to identify and address the needs of emergency residents for medical-legal education (employment contracts, EMTALA, etc.)
6. Review the following policies per the Policy Sunset Review Process:
 - Civil Commitment
 - Health Courts
 - Reform of Tort Law
 - State Medical Board Peer Review
 - Use of Nurse Implemented Order Sets

Determine by December 15 if the policies should be reaffirmed, revised, rescinded, or sunsetted. Submit any proposed revisions to the Board for approval by the end of the committee year.
7. Work with the Ethics Committee in their development of an information paper on ethics and oversight of for-profit entities funding medical schools, emergency medicine residencies, and fellowships. (Ethics is the lead committee.)
8. Develop a definition of due process and understanding of the process of physician rights and implementation of due process. Develop model language of due process clause.
9. Work with the Ethics Committee and the State Legislative/Regulatory Committee to develop a policy statement and Policy Resource & Education Paper (PREP) to address Amended Resolution 52(21) Standardization of Medical Screening Exams of Arrested Persons Brought to the ED. (Ethics is the lead committee.)
10. Collaborate with the Diversity, Equity, & Inclusion Committee; Diversity, Inclusion, & Health Equity Section; and the Social Emergency Medicine Section to develop a policy statement and Policy Resource & Education Paper (PREP) to address Amended Resolution 54(21) Understanding the Effects of Law Enforcement Presence in the Emergency Department. (Medical-Legal is the lead committee.)
11. Review Referred Resolution 43(21) Autonomous “Shared Governance” Due Process and provide a recommendation to the Board of Directors on the advisability of implementing this resolution. ACEP’s General Counsel to assist in providing a legal opinion on the advisability of implementing this resolution and seek an opinion from outside legal counsel if needed.
12. Work with the Ethics Committee and the Public Health & Injury Prevention Committee to develop a medical bill of rights for all ED patients that includes rights for vulnerable patient groups and detained or incarcerated persons. (Ethics is the lead committee.)

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13. Develop a policy statement to address the first resolved of Resolution 37(22) Enhance Patient Safety and Physician Wellness to support the protection of all participants in discussions of cases of potential medical error, whether Morbidity & Mortality Conferences (M&M), Root Cause Analysis (RCA), or any patient safety forum, from legal discovery