

Economic Credentialing Statute

(2) Notwithstanding the prohibitions in subsection (1), a hospital board:

(a) may refuse to appoint a physician to the governing body of the hospital or to the position of president of the medical staff ~~or presiding officer of a medical staff committee~~ if the physician or a partner or employee of the physician provides medical or health care services at, has an ownership interest in, or occupies a leadership position on the medical staff of a different hospital, hospital system, or health care facility.

(b) MAY NOT exclude a physician who provides medical or health care service at, has an ownership interest in, or occupies a leadership position on the medical staff of a different hospital, hospital system, or health care facility.

(3) For the purposes of this section, the following definitions apply:

(a) "Economically motivated referral pattern" means a referral pattern that demonstrates consistent referrals based on a patient's health insurance coverage or ability to pay;

(b) "Conflict of interest" means a situation in which a physician or an immediate family member as defined in 15-30-602, has a financial or investment interest in a licensed health care facility, EXCEPT HEALTH CARE FACILITIES AS ALLOWED IN 42 U.S.C. 1395nn, and that provides AN INPATIENT service traditionally offered by a hospital licensed under this title, chapter 5.