Final Committee Objectives 2020-21
Medical-Legal Committee

Chair: Rade Vukmir, MD, JD, FACEP
Board Liaison: Gabor D. Kelen, MD, FACEP
Staff Liaison: Craig Price, CAE

1. Examine medical-legal related issues impacting emergency physicians related to the COVID-19 pandemic response and develop recommendations for policies, model legislation or other resources to address areas where physician protections and public health can be enhanced. Areas to explore include:
   - EMTALA restrictions
   - Medical liability exposure
   - Liability for emergency physicians who speak out about or refuse to work due to insufficient PPE
   - Possible liability for discharging patients for lack of capacity or failing to test due to a lack of tests
   - Employment agreements
   - Telehealth liability

2. Review, update, and provide information to members on medical legal matters that impact the clinical and administrative and practice of emergency medicine.

3. Participate in the review of new clinical policies and provide information on potential medical-legal issues.

4. Explore new avenues to further deter inaccurate expert witness testimony and enhance accountability of those providing expert witness testimony, including:
   - Consideration of potential changes to the ACEP Standard of Care Review program
   - Exploration of the feasibility and effectiveness of no-blame reviews of depositions and other non-punitive actions.
   - Promote awareness and utilization of ACEP resources designed to curtail egregious testimony.

5. Develop an information paper that explains the standards that members should expect from expert witnesses, including that expert witnesses should adhere to ACEP’s “Expert Witness Guidelines for the Specialty of Emergency Medicine” policy statement and sign the reaffirmation statement.

6. Update and streamline ACEP’s medical-legal resource materials and ensure they are easily accessible to members.

7. Investigate the aspirational goal of a no-fault medical injury system and consider development of an information paper or policy related to implementation of such a system.

8. Collaborate with EMRA to continue development of resources to help educate residents on medical-legal concerns and assist senior residents in understanding contractual issues as they enter the job market.

9. Investigate ways to increase the diversity among the membership of the Medical-Legal Committee.

10. Examine medical-legal aspects of health care disparities and their impact on quality of care and outcomes, including an investigation of the utility of medical-legal partnerships in improving health outcomes.

11. Review the following policies per the Policy Sunset Review Process:
   - Anonymous Complaints to State Licensing Boards by Third Parties
   - Anonymous Expert Physician Testimony for a State Medical Licensing Board
   - Expert Witness Guidelines for the Specialty of Emergency Medicine

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.
12. Investigate medical staff privileging application questions and inquiries of members as they relate to relevance, propriety, and legality.

13. Develop a policy statement to address the medical-legal aspects of emergency physician supervision of nurse practitioners and physician assistants.