

Memorial Hospital Miramar
Medical Staff Bylaws
Amendment 7

Bolding indicates addition

~~Strikethrough~~ indicates deletion

Sect. 7.9 Paragraph 2-Appointment of Hearing Panel

The panel members will be individuals who are not: (a) in direct economic competition with the practitioner whose privileges or membership is under consideration; (b) individuals having a **present or** prior relationship with the affected practitioner of shared medical practice, including without limitation, partnership, employment, or ~~agency relationships~~ **compensation arrangement**; (c) relatives of the affected practitioner; (d) individuals exhibiting racial, religious, ethnic, or other prohibited prejudice as demonstrated by reasonable evidence as determined by the Executive Committee; (e) individuals who are creditors or debtors of the affected practitioner; and (f) members of the Executive Committee; (g) members of the Credentials Committee; (h) any other individual who previously considered the matter; and (i) individuals who demonstrate any conflict of interest, which could adversely affect such individual's ability to fairly and objectively review the matter under consideration, as determined in the judgment of the Executive Committee. At any time prior to the commencement of the hearing by the hearing panel, the Administrator may appoint additional or replacement panel members. Panel members may include, without limitation, physician or laymen not associated with the hospital. Such appointment by the Administrator shall include designation of the Chairman of the hearing panel. Knowledge of the matter involved shall not preclude any person from serving as a member of the hearing panel.

Sect. 8.12 Paragraph 2 - Appointment of a Hearing Panel

The panel members will be individuals who are not: (a) in direct economic competition with the practitioner whose privileges or membership is under consideration; (b) individuals having a **present or** prior relationship with the affected practitioner of shared medical practice, including without limitation, partnership, employment or ~~agency relationships~~ **compensation arrangement**; (c) relatives of the affected practitioner; (d) individuals exhibiting racial, religious, ethnic, or other prohibited prejudice as demonstrated by reasonable evidence as determined by the Executive Committee; (e) individuals who are creditors or debtors of the affected practitioner; (f) members of the Executive Committee; (g) members of the Credentials Committee; (h) any other individual who previously considered the matter; and (i) individuals who

demonstrate any conflict of interest, which could adversely affect such individual's ability to fairly and objectively review the matter under consideration, as determined in the judgment of the Executive Committee.

Sect. 9.5 Paragraph 2 - Appointment of a Hearing Panel

If, as a result of review of a summary suspension, the action taken by the Executive Committee of the Medical Staff reduces the practitioner's privileges or continues the suspension of the practitioner's privileges, the affected practitioner shall be entitled to a hearing before a panel. At the meeting of the Executive Committee of the Medical Staff at which the decision is made to continue the suspension of all, or a portion of the practitioner's privileges, the hearing panel shall be appointed by the Administrator or his designee. The hearing panel shall be composed of not less than three members. The panel members will be individuals who are not: (a) in direct economic competition with the practitioner whose privileges or membership is under consideration; (b) individuals having a **present or** prior relationship with the affected practitioner of shared medical practice, including without limitation, partnership, employment or ~~agency relationships~~ **compensation arrangement**; (c) relatives of the affected practitioner; (d) individuals exhibiting racial, religious, ethnic, or other prohibited prejudice as demonstrated by reasonable evidence as determined by the Executive Committee; (e) individuals who are creditors or debtors of the affected practitioner; (f) members of the Executive Committee; (g) members of the Credentials Committee; (h) any other individual who previously considered the matter; and (i) individuals who demonstrate any conflict of interest, which could adversely affect such individual's ability to fairly and objectively review the matter under consideration, as determined in the judgment of the Executive Committee.

APPROVAL:

Blane T. Shatkin, MD

April 14, 2005

Chief of Staff

Date

Albert C. Jones

May 25, 2005

Chairman, Governing Board

Date