



Eastern Maine Medical Center Dispute with Cardiologists

Topics Covered: Medical Staff, Hospitals

Outcome: Very Favorable

Issue

The issue in this case was whether a group of cardiologists who were members of a hospital's medical staff could continue to have one of their group serve on the board of trustees after the cardiologists built a medical office building where they performed procedures they had previously performed at the hospital.

AMA Interest

The AMA supports the enforceability of medical staff bylaws by medical staff members.

Case Summary

Eastern Maine Medical Center (EMMC) is a community hospital located in Bangor, Maine. A group of cardiologists on the EMMC medical staff built a new office building and started to perform certain procedures that they had formerly performed in the hospital. One of the cardiologists, a member of the medical staff executive committee, was to represent the medical staff as an *ex officio* member of the hospital board of trustees. The hospital became concerned by the perceived conflict of interest of the cardiologist and he was expelled from the hospital board.

The medical staff was upset with the treatment of the cardiologist, and it organized a "Good Governance Committee" to fight the hospital. The physicians' Good Governance Committee hired an attorney to advise them, particularly concerning parliamentary procedure during the Annual Corporators Meeting. Following the cardiologist's expulsion, they elected one of his partners as the medical staff vice-president, which gave him a seat on the hospital board. Although the first cardiologist had been expelled from the board, the vice-president was permitted to sit on the board temporarily, pending further review of a potential conflict of interests.

The physicians brought the matter to the attention of the community at the Annual Meeting of the hospital "corporators." Four candidates, sympathetic to the medical staff, were nominated from the floor to replace existing board members. All four candidates won. Thus, the matter was resolved successfully for the cardiologists and for the medical staff as a whole.

Litigation Center Involvement

The Litigation Center paid a portion of the bill from the attorney engaged by the physicians' Good Governance Committee.