

**FLORIDA BOARD OF GOVERNORS
NOTICE OF PROPOSED REGULATION AND AMENDMENTS**

Date: July 14, 2011

REGULATION TITLES AND NUMBERS: 9.017 Faculty Practice Plans

SUMMARY: This regulation is amended to authorize the Florida Atlantic University College of Medicine to develop and maintain a Faculty Practice Plan in accordance with the parameters of the regulation.

FULL TEXT OF THE REGULATION: The full text of the proposed new regulation is posted on BOG's Web site at www.flbog.org. In addition, the full text of the regulation is available upon request to the Office of the Chancellor, which can be contacted at (850) 245-0466.

AUTHORITY TO ADOPT/ AMEND/ REPEAL REGULATION: Section 7(d), Art. IX, Fla. Const.; BOG Regulation Development Procedure dated March 23, 2006.

BOARD OF GOVERNORS' OFFICIAL INITIATING ADOPTION/ AMENDMENT/ REPEAL OF REGULATIONS: Vikki R. Shirley, General Counsel.

COMMENTS REGARDING ADOPTION/ AMENDMENT/ REPEAL OF REGULATIONS SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation(s) on which you are commenting.

THE PERSON TO BE CONTACTED REGARDING ADOPTION/ AMENDMENT/ REPEAL OF REGULATION IS: Vikki R. Shirley, Esq., General Counsel, Board of Governors, State University System 325 W. Gaines Street, Tallahassee, Florida 32399, (850) 245-0466 (phone), (850) 245-9685 (fax), generalcounsel@flbog.org.

9.017 Faculty Practice Plans

- 1) *Basic Policy.* The J. Hillis Miller Health Center at the University of Florida, the Health Sciences Center at the University of South Florida, the Florida State University College of Medicine, the Florida International University College of Medicine, ~~and the~~ University of Central Florida College of Medicine, and the Florida Atlantic University College of Medicine, respectively, provide educationally oriented clinical practice settings and opportunities, through which faculty members provide health, medical and dental care and treatment to patients, including patients at independent hospitals, other institutions, and various clinical sites as an integral part of their academic activities and their employment as faculty. Such faculty practice activities are designed to assure clinical practice opportunities and experiences that are essential in the training of students and postgraduate health professionals and that will enhance skills and knowledge of faculty members who must teach and train medical and other health professional students. Participation in such faculty practice activities by members of the faculty of this State's colleges of medicine, dentistry, health professions, and veterinary medicine is vital to the educational mission, the maintenance of skills in the treatment and diagnosis of disease, and the maintenance of patient management skills, clinical expertise, and medical judgment, and is a necessary and essential part of their employment as faculty. Because these faculty practice activities generate income from a cross section of patients served by faculty members, these colleges are authorized to regulate fees generated from faculty practice, and to develop and maintain Faculty Practice Plans for the orderly collection and distribution of such fees. Colleges are authorized to form corporate entities to achieve the objectives of the Faculty Practice Plans. The Faculty Practice Plan, when developed, and subsequent changes therein, must be approved by the dean of the college, the vice president of the health center, as applicable, ~~and the~~ president of the university, and the university board of trustees prior to filing for approval of the Board of Governors ~~Chancellor~~. Faculty Practice Plans must be consistent with, and supportive of, the objectives of the college, the health center, as applicable, and the university.
- 2) Each Faculty Practice Plan shall include and/or provide for:
 - (a) A written document which describes the university's policies and procedures pertaining to faculty practices activities and the resulting professional fees.
 - (b) Articles of Incorporation and Bylaws.
 - (c) A separate bank account into which all faculty practice fees are to be deposited, which shall be held and administered by the respective university or faculty practice organization.
 - (d) An operating budget, prepared at least annually and recommended by the dean of the college, vice president of the health center, as applicable, and university president to the Board of Governors for review and oversight.
 - (e) An annual audit and management letter, which shall be forwarded to the Board of Governors for review and oversight.

Authority: Section 7(d), Art. IX, Fla. Const.; History--Former BOR Rule 6C-9.017, 6-12-75,
Amended 6-2-87, 10-17-89, 6-6-90, 12-9-91, 10-2-94, 4-16-96, 6-22-06, 1-24-08, 5-8-08.