



## RESIDENT PRESIDENT'S MESSAGE

### Finding a Job, the AAEM Way

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This year, many of our AAEM/RSA members are embarking upon their first job search as emergency physicians. While the largest influences on finding the right job may be location, quality of facilities, breadth of patients and compensation, it is also essential to evaluate the type of practice environment and the fairness of the contract that you will be signing.

Within EM, there are several types of practice settings. Understanding the structure of the myriad practice environments can be extremely confusing. Stated simply, there are three major types of physician relationships: independent groups, contract management groups (CMGs) and hospital based practices. For any of these groups, you can be hired as an employee or an independent contractor – one important difference being the IRS tax classification. In general, independent contractors are responsible for managing their own tax filings and obtaining health, life, disability, and potentially malpractice insurance, but are allowed greater tax deductions. Employees, on the other hand, may have added benefits including vacation time, educational allowances, and medical, disability and malpractice insurance, but have significant restrictions on tax deductions.

Within independent groups, there is a wide spectrum of practice structures – the most ideal being a democratic group. Democratic groups are described by: open books, a well-defined partnership track, fair profit and asset sharing and voting rights. Preferably, members will also share scheduling equity or be rewarded appropriately for less desirable shifts. Prior to joining a democratic group, the partnership track should be clearly defined. Most group members will be partners or on the “partnership track.” A partnership track will vary in length but is ideally around two years. When initially hired, you will preferably start to share profits and assets but at a lower rate than a full partner. After a certain pre-defined time period, you should have vote, profit and asset sharing which is either equal or delineated based upon individual investments (buy in) or longevity in the group. Regardless, books should be open and the compensation structure should be clearly outlined. Many groups may call themselves a “democratic” group but are missing one or many of the elements of a true democratic group. They may have an ill-defined partnership track, unequal profit sharing and voting despite equal investment, or non-physician ownership.

Contract management groups are businesses which generally hold contracts with several emergency departments in one area or across the country. As such, the individual emergency physicians typically do not have significant ownership in the group via partnership. Approximately one-third of practicing emergency physicians work for CMGs. While individual physicians may benefit from reduced administrative responsibility, they also have reduced job security, salary and vote in the group. It is important to investigate a particular group's reputation, whether there is corporate or administrative involvement in medical decision making and to evaluate the fairness of a contract prior to signing.

You may have read about *restrictive covenants* in past issues of *Common Sense*. Restrictive covenants are “non-compete clauses” within contracts which prohibit a physician from working in a defined geographical location for a specific period of time following a voluntary or involuntary termination of their contract. Essentially, a person is indentured to the contract until they can find another job a certain, and sometimes considerable, distance away from their current employment.

Other restrictive clauses may be buried in physician contracts, for example, denying the right to due process upon termination. Due process requires informing any threatened physician just reason for termination, with the opportunity for review at a fair hearing. It is important to read a contract carefully and thoroughly – with time to discuss discrepancies with trusted colleagues, mentors or an attorney. Other components to consider are malpractice insurance, including “tail” – coverage which extends beyond your employment – as well as health, life and disability insurance.

While adding these considerations to your job search may seem overwhelming, it is important to discuss the details of your contract and employment before making a commitment. AAEM offers numerous resources that will help in this task. You can find more information on fair contracts and EM practice groups at: <http://www.aaem.org/emtopics/criticalissues.php> or from *Rules of the Road for Emergency Medicine Residents and Graduates*. Most importantly, you are now part of AAEM, an organization which fights for a fair practice environment for emergency physicians.