

UCLA SCHOOL OF MEDICINE
DEPARTMENT OF ORTHOPAEDIC SURGERY BY-LAWS

ARTICLE I - NAME

The Department of Orthopaedic Surgery, University of California, Los Angeles.

ARTICLE II - MISSION

To advance the knowledge of orthopaedic surgical science within an environment which provides optimal postgraduate medical education, foster creative excellence in research, and as a priority, maintains the highest quality of patient care.

ARTICLE III - MEMBERS

Section 1 - Full-Time Faculty. All members who are salaried at UCLA Center for the Health Sciences or at one of the primary teaching affiliated institutions are appointed to the full-time faculty in one of the following academic series: Regular rank, In-Residence, Professor of Clinical Surgery, Adjunct or Clinical Compensated. Each full-time faculty member shall have one vote in departmental faculty meetings.

Section 2 - Voluntary Faculty. Individuals who are non-salaried by the University or one of the affiliated institutions may be appointed to the Voluntary Faculty in the Clinical Non-Compensated academic series. Voluntary Faculty must fulfill defined teaching activities on an annual basis in order to remain members.

ARTICLE IV - DIVISIONS/SECTIONS

The Department of Orthopaedic Surgery shall be comprised of separate sections representing orthopaedic surgery subspecialties and a division of gross anatomy.

1. Basic Science
2. Cerebral Palsy
3. Foot and Ankle Surgery
4. Gross Anatomy
5. Hand Surgery
6. Orthopaedic Oncology
7. Orthopaedic Trauma
8. Osteoporosis and Metabolic Bone Disease

9. Pediatric Orthopaedic Surgery
10. Shoulder and Elbow Surgery
11. Spinal Diseases
12. Sports Medicine
13. Total Joint Replacement

All full-time and clinical faculty shall be a member of a Division/Section. In addition, there shall be certain administrative programs or units as separate financial centers. These shall include, The Division of Gross Anatomy, the Osteoporosis and Cerebral Palsy Centers, the Biomechanics and Bioengineering Section, and the Bone Research Lab.

ARTICLE V - OFFICERS

The Department Chairman shall be the executive officer of the Department, responsible to the Dean and Provost for Medical Sciences for the effective operation of the Department's programs, financial management, and for compliance with University policies and procedures.

The Department Chairman shall be appointed by the Dean of the School of Medicine through the customary review and approval process. The Chairman is normally appointed for a term of five years and renewal of a Chairman's appointment is contingent upon a favorable five year review conducted by the Dean of the School of Medicine.

The Chairman shall appoint an Executive Vice-Chair who shall assist the Chair in determining department policy, and shall serve as Chair in the event the Chairperson is out-of-town, on vacation, or unable to temporarily carry out his duties as Chair. Appointment of the Executive Chair shall be reviewed every two years.

In addition the Academic Senate Members of the Department shall elect one Academic Senate member who will serve for a period of two years as the Representative to the Academic Senate. Members of the Academic Senate are those faculty appointed in the Regular Rank, In-Residence and Professor of Clinical Orthopaedic Surgery Series. Should the representative be unable to complete his/her term, the Chairman may appoint an individual from among the Academic Senate Faculty to serve during the remainder of the term.

ARTICLE VII - POSTGRADUATE EDUCATION

The faculty shall have the overall responsibility for the selection and training of all housestaff appointed by the Department of Orthopaedic Surgery. The training experience shall ensure optimal education for residents as well as the provision of excellent medical care for patients consistent with the general and specific requirements of the Accreditation Council for Graduate Medical Education. The Chair shall appoint a Director of Orthopaedic Surgery education who shall be responsible for overseeing the curricula and policies of the postgraduate educational programs. This position shall be appointed by the Chair and report directly to the Chair for all educational matters.

ARTICLE VIII - STANDING COMMITTEES

The Chair shall appoint standing and ad hoc committees as appropriate. The following standing committees shall be maintained by the Department of Orthopaedic Surgery:

Executive Committee - The Department of Orthopaedic Surgery Executive Committee shall be chaired by the Department Chair, two full-time faculty members and a representative from the Division of Gross Anatomy. One more than 50% of the total members shall constitute a quorum. The Department Executive Administrator shall provide staff support and attend the Committee in a non-voting, ex-officio capacity. The Committee shall meet at least four times annually.

The Executive Committee shall have general responsibility for the development, implementation and enforcement of the administrative, academic, budgetary, and patient care policies of the Department of Orthopaedic Surgery. Minutes of the Executive Committee shall be signed by the Department Chair and maintained on file in the Departmental Office.

Education Committee - The Education Committee shall be responsible for overseeing the curriculum of the training programs (medical student clerkships, residencies, and fellowships), recommending policy, and adjudicating coverage and resource allocation issues. The Committee shall be composed of the Department Chair, the Residency Program Director, the Educational Program Director, and the Coordinator of the Medical Education Office. The committee shall meet at least twice annually, but sub-committees may be convened on a more frequent basis as needed. Minutes of all committee meetings shall be maintained by the Coordinator of the Medical Education Office.

Quality Assurance Committee - The Departmental Quality Assurance Committee will be comprised of the faculty Quality Assurance Coordinator and the chief of the Trauma Service.. This committee shall meet at least three times annually for the purpose of assurance compliance with JCAHO regulations and state licensing regulations, assuring consistency of QA policies and procedures and resolving problems across the department. Minutes of all meetings shall be maintained on file in the Department Office.

Practice Management Committee - The Practice Management Committee will be comprised of the Medical Director and the Nurse Manager of the Orthopaedic Outpatient Center, three full-time faculty and the Department Administrator. The faculty members will be appointed for a period of two years, on alternate years. The committee shall meet at least six times yearly for the purpose developing, implementing and monitoring strategies that will maximize the physicians, staff and patient satisfaction with the Orthopaedic Outpatient Center.

Residency Selection Committee - The Residency Selection Committee shall have the overall responsibility for setting criteria for the selection, training and monitoring of all house staff appointed to the Department of Orthopaedic Surgery. The committee also sets up criteria for the preceptorship program and appoints resident faculty advisors. The committee shall be comprised of the Department Chair, two faculty members, a representative from affiliated hospitals, and the Coordinator of the Medical Education Office.

Research Committee - The committee is charged with providing a means of internal review of proposals that require human or animal research committee approval. The intent is to identify flaws and/or deficiencies that may hamper timely approval of protocols and informed consent documents. It maintains documentation of approved protocol, informed consent and possibly critical information generated during the conduct of a study in the event of a research audit. The committee shall be comprised of two full time faculty clinician involved in research and two basic science faculty.

ARTICLE IX - APPOINTMENTS AND PROMOTIONS

The full time faculty shall be responsible for evaluating candidates for appointment and promotion. Candidates shall be evaluated based on the following criteria: 1) Professional training and technical competence; 2) local, regional and national recognition in their academic specialty; 3) evidence of teaching abilities and on-going commitment to the training program; 4) evidence of creative investigation in either basic or clinical research; and 5) university service. Each dossier must contain documentation which strongly supports fulfillment of the aforementioned criteria. Each dossier beyond the initial appointment must contain teaching evaluations by residents and students as well as peer review evaluations by faculty. Appointments, promotions and changes in academic series must also provide letters of intramural and extramural support which attests to the individual's capabilities with respect to the above criteria. Actions shall be reviewed according to the following process:

1. Review and discussion by departmental faculty
2. Vote by departmental Academic Senate members
3. Department of Surgery Appointment and Promotions Committee
4. Department of Surgery Executive Committee
5. Department of Surgery Tenured Faculty
6. Dean's Office
7. Ad Hoc Review Committee (as needed at the discretion of the Chancellor's Office)
8. Committee on Academic Personnel (CAP)
9. Chancellor's Office

Standard on-schedule merit increases within each rank and fourth year appraisals of assistant professors are approved by the Dean.

ARTICLE X - COMPENSATION PLANS

1. Income Limitation Plan - ILP members are compensated commensurate with the academic base salary only. Other compensation is generated by the individual through the professional practice of orthopaedic surgery. ILP faculty are permitted to independently handle their billing and collection activities outside of the University as well as to maintain sole shareholder, single employee professional corporations. ILP members are required to pay for all University staff and

services utilized in the course of performance of their academic duties and clinical practice. ILP members shall be required to submit an ILP Annual Report to the Department no later than the 15th of every June which documents their income, practice related expenses and assessment payable to the Department prior calendar year period. ILP members are assessed a quarterly estimated amount in September, December and March based on their prior year's assessment. All balances are due on June 15th, with any credits applied to the next quarter's billing. Members are additionally required to provide the Department with a year-end management report. Specific guidelines for the Income Limitation Plan are enumerated in Section V.B.2 of the UC Medical Compensation Plan and Section III.G. of the Campus Procedures. The income limitation plan arrangement is not an option for the compensation of faculty not grandfathered as ILP members on July 8, 1998.

2. MCP/GROUP PRACTICE PLAN - All Department of Orthopaedic Surgery full-time, non ILP faculty engaged in clinical practice shall be required to be member of the new compensation plan. New full-time faculty (all ranks) will be guaranteed a salary (X and Y components). Faculty members newly appointed at the Assistant Professor Level will be on a negotiated salary for the first three years of faculty service. Faculty members appointed at levels of Associate Professor and above can enter the "Z" component of the plan directly, or at the discretion of the chair, be placed on a guaranteed salary (X+Y component).

The Basic salary package (X+Y) will consist of three (3) times the value of the "X" for the rank and step of the faculty member. It will also be compared to the 60th percentile of the AAMC guidelines for rank and specialty (Table 27). Adjustment will be based on consideration of clinical revenue and AAMC levels. The Chair shall determine the academic program unit at which the base salary shall be set for department faculty members contingent upon approval of the Dean, School of Medicine. Faculty shall be compensated under the following APU's: 1705OS (Scale 4) for Orthopaedic surgeons based at UCLA CHS, 1705SM (Scale 3) for orthopaedic surgeons based in Santa Monica, 1705PH (Scale 3) for physiatrists, 1705FE (Scale 0) for fellows and 1705BS (Scale 1) for basic scientists. The faculty shall be advised in advance of any recommended changes in base salary scales.

The "Z" component shall be based on the net income after practice expenses, academic enrichment expenses, dean and department taxes and the faculty salary guarantee has been covered, and will be paid at 80%. During the first three quarters of the fiscal year payments to the faculty will be made at 80% of their earned "Z" component. The remaining 20% will be held in reserve by the department, and any balances paid on the 4th quarter of the fiscal year, after actual year-end income and expense reports are finalized. The remainder of the net income (20% of the "Z" component) reverts to the Department for discretionary needs.

All income will be collected by the department except as necessary by V.A. or County regulations. Disbursements will be reported and distributed to the faculty member on a quarterly basis.

There shall be a Dean's Tax (5%), a Department Tax (2.5%) Physician Support Services Tax (7%) as well as billing and collection fees applied against gross professional fee income before any expenses are covered and incentive payments are made.

The University requires that a minimum of 5% of total group practice revenues must be set aside as reserves. Reserves shall be funded from the Department's share of net income.

Standard plan expenses include, but are not limited to, represent facility fees, secretarial payroll, supplies, telephones, mail, equipment, transcription services and general liability insurance. Academic enrichment expenses are those expenses that support the academic and/or research activities of the individual faculty member. Example of such expenses may include, but are not limited to, travel, professional dues and subscriptions, slides, media preparation, books, etc.

At the point that a faculty member goes on the incentive plan, his/her subsequent cash collection accrue to the calculation of that faculty member's "Z" compensation, regardless of whether collections relate to services rendered prior to or following movement on the incentive plan.

ACADEMIC ENRICHMENT ACCOUNTS : The Department of Orthopaedic Surgery may at its discretion, establish, fund and operate Academic Enrichment Accounts for the purpose of funding expenditures in support of research and academic activities and/or employee development. Any Academic Enrichment Account established is subject to the following guidelines:

- (1) Academic Enrichment Accounts are funded solely from funds available for distribution under the "Z" component of the faculty's compensation. Once the available surplus total has been calculated and confirmed by the Department, the department will determine the amount to be set aside for academic enrichment. Such funds will be deposited to a University revenue account and will remain specifically subject to forfeiture for use by the Department if required in accordance with Article VI, Section D of the UCLA School of Medicine Procedures under the UC Health Sciences Compensation Plan. The Department also has the authority to pay out a portion of, or the entire "Z" component to the individual faculty member.
- (2) Any funds in Academic Enrichment Accounts will be held to support academic, research and professional expenditures of the faculty member in connection with his/her performance of services with the Department. The Department in accordance with substantiation procedures established by the Department and University purchasing and other policies must approve all expenditures from Academic Enrichment Accounts.
- (3) Unexpended balances in Academic Enrichment Accounts remain the property of the University when the faculty member separates from employment with the University.
- (4) The Department Chair may, in his/her discretion, direct that funds in an Academic Enrichment Account be used to fund the faculty member's negotiated salary if the faculty member does not generate sufficient revenue during the year to fund the total negotiated salary for the year as established during the annual salary setting process.
- (5) The amount or percentage of the surplus to be set aside for Academic Enrichment Accounts will be determined in the sole discretion of the Department based on its assessment of the academic, research and development needs of the faculty member. However, individual faculty may request exceptions for either less or more funds to be set aside for academic enrichment in unusual circumstances, such as when a faculty member has substantially different needs for additional research support funding relative

to the other needs of the faculty in the Department.

Funds for sabbatical leave, beyond that of current University ("X" related benefits) are to be accumulated at the discretion of the Department and are limited to the difference between university or alternate source sabbatical income and basic salary package. The department may contribute funds otherwise payable as Z compensation towards Sabbatical and Leave in each year. Such funds are to be placed in an interest bearing university account. Moreover, such funds are subject to the following guidelines:

Such funds will be deposited to a University revenue account and will remain specifically subject to forfeiture for use by the Department if required in accordance with Article VI, section D of the UCLA School of Medicine Procedures under the UC Health Services Compensation Plan.

Expenditure of funds set aside must be approved by the Department and University policies.

Unexpended balances in such accounts remain the property of the University when the faculty member separates from employment with the University.

The Department Chair may, in his discretion, direct that such funds be used to augment the faculty member's negotiated salary if the faculty member does not generate sufficient revenue during the year to fund the total negotiated salary for the year as established during the annual salary setting process.

The amount or percentage of Z compensation to be set aside for sabbatical leave will be determined in the sole discretion of the Department.

ARTICLE XI - APPOINTMENT TO SCHOOL, MEDICAL CENTER AND UNIVERSITY COMMITTEES

The Department Chair shall sit on standing and ad hoc committees in the Medical School, Medical Center, and the University Campus. In his absence he shall be represented by the Executive Vice-Chair or other designated. The Department Chair may also propose that members of the Department of Orthopaedic Surgery represent the Department on appropriate committees.

ARTICLE XII - AMENDMENT OF BY-LAWS

The Department By-Law may be amended at any time by a two-thirds vote of the voting members of the Department of Orthopaedic Surgery, provided that the proposed amendment has been submitted in writing and circulated to the entire full-time faculty at least one month prior to the vote being taken.

Approved: 9/10/96

Revised: 11/01