

[The bylaws must:]

§482.22(c)(4) - Describe the qualifications to be met by a candidate in order for the medical staff to recommend that the candidate be appointed by the governing body.

Interpretive Guidelines §482.22(c)(4)

The medical staff bylaws must describe the qualifications to be met by a candidate for medical staff membership/privileges in order for the medical staff to recommend the candidate be approved by the governing body. The bylaws must describe the privileging process to be used in the hospital. The process articulated in the medical staff bylaws must include criteria for determining the privileges that may be granted to individual practitioners and a procedure for applying the criteria to individual practitioners that considers:

- Individual character;
- Individual competence;
- Individual training;
- Individual experience; and
- Individual judgment.

The medical staff may not rely solely on the fact that a MD/DO is, or is not, board-certified in making a judgment on medical staff membership. This does not mean that the medical staff is prohibited from requiring board certification when considering a MD/DO for medical staff membership; only that such certification is not the only factor that the hospital considers. After analysis of all of the criteria, if all criteria are met except for board certification, the medical staff has the discretion to not recommend that individual for medical staff membership/privileges.

The bylaws must apply equally to all practitioners in each professional category of practitioners.

The medical staff then recommends individual candidates that meet those requirements to the governing body for appointment to the medical staff.

Survey Procedures §482.22(c)(4)

- Verify that there are written criteria for appointments to the medical staff and granting of medical staff privileges.
- Verify that granting of medical staff membership or privileges, is based upon an individual practitioner's meeting the medical staff's membership/privileging criteria.
- Verify that at a minimum, criteria for appointment to the medical staff/granting of medical staff privileges are individual character, competence, training, experience, and judgment.
- Verify that written criteria for appointment to the medical staff and granting of medical staff privileges are not dependent solely upon certification, fellowship, or membership in a specialty body or society.