

AFFILIATION QUESTIONS AND ANSWERS

- Q.** Help!!! I have a student scheduled to go to a facility and when she/he was scheduled, I thought the agreements would be completed. Now, I have discovered they are not signed and my student is suppose to arrive there tomorrow / next week / or oops! my student is already there.
- A.** This is very bad news. The legality of the site should have been verified before committing your student. You actually have very few options. They are as follows:
1. If your student is already at the site or on his/her way, you must pull your student immediately because the are without insurance.
 2. If you and the facility can agree that they will accept an Affiliation Letter (which would cover you for up to one year) in lieu of a formal agreement, your student could begin their clinical as soon as the Affiliation Letter was completed. **(This means all original signatures must be in place.)**
- Q.** I am in a hurry! Will OAA and Legal accept FAXed signatures?
- A.** No. However, you may handwalk the paperwork through if the site is close enough. Also, another solution is to pick up the documents from OAA and overnight them to the facility.
- Q.** I have listed only one hospital and one address on my request form but now the OAA tells me that there may be more hospitals under the same ownership. Do I have to list them all?
- A.** Yes. Refer to your example of a 100A *Affiliation Agreement*. All sites are listed on Page 1- Paragraph 2. You must list every hospital and actual facility address covered under the corporate umbrella. It is your responsibility to furnish all names and address to OAA.
- Q.** The hospital says all agreements are to go to their corporate office and it is in a different location (street address/city/state) from the hospital address. Do I list the corporate address or the hospital address on the Site Request form?
- A.** You must list both including contact names/addresses/telephone numbers on your Site Request form. If the corporate office is to receive all agreements, be sure to note that information on the form along with a name. And, remember that we must reference actual facility names and addresses in the Affiliation.

Q. My department wants to use a facility owned by a corporation which has over 100 sites across the United States. How do I know what facilities are accessible to my students and how do I deal with all those different facilities?

A. If in doubt, ask OAA as there should be a list of facilities having multiple sites in their files. The corporate office web page is a good source for this kind of information. Also, you should check the database for notations to this effect.

In these instances, there is generally a large Corporate Agreement (think HealthSouth); but they usually allow their individual sites to work directly with the Clinical Coordinator. Generally, the facility will furnish us with a letter on its letterhead stating they are aware you plan to send students to them. Should you receive one of these letters directly, please forward it to the OAA immediately for processing.

Q. Sometimes, my department receives various correspondence from affiliates requesting a signature. Do I sign them?

A. NO! The university policy is that any requests for signatures on any contracts, Renewal Letters, et cetera, may not be signed by anyone other than the Dean of SHP.

Q. I have a student workbook and other materials I need to furnish to the facility. May I mail this type of information out from my department along with a cover letter or does everything have to funnel through the OAA?

A. You may mail directly to the facility any necessary information pertaining to specifics with your students. This has no bearing on actual agreements between the University or your department and the facility.

Q. What is the approximate length of time it takes to complete an agreement?

A. It depends! The OAA does not always have control over this issue. The possibilities are as follows:

Are we using our standard agreement form or a non-standard form? If it is our form and the affiliate is quick to return it, it might be finished within a month. If anything goes wrong, such as the OAA is given incorrect information on the Site Request form or the affiliate delays in signing for any reason, you should expect up to four to six months for completion.

If it is a non-standard form, you can expect anywhere from six months to a year depending upon whether it goes to Austin for approval.

Q. Can we have a Program Agreement without an Affiliation or an Affiliation without a Program Agreement?

A. No, to both questions.

All Program Agreements are linked to a specific affiliation and its date of completion. See Page 1 - Paragraph 1 of UTMB's standard Program Agreement.

All Affiliations are between the UTMB University and the facility in question. There is nothing in our standard affiliation that mentions a specific school or your particular department. Please refer to the UTMB standard 100-A Affiliation. On Page 1- *Paragraph 4 - Number 1* -and its reference to establishing Program Agreements.

As you will see, the Affiliation and the Program reference each other. Neither one can stand alone.

Q. What is our insurance coverage and why do I need to know this?

A. There is a great deal of information related to insurance and UTMB Agreements.

This information is subject to change in any given year. However, the information you need to remember is that UTMB carries medical professional insurance on its students. **THAT IS THE ONLY INSURANCE IT CARRIES.** There is no student property damage insurance and no general liability.

UTMB cannot agree to language in any agreement that references insurance types or amounts other than what we have. Should the facility insist on another type of insurance or on different amounts, this automatically negates the agreement.

For Your Information:

1. The amount of insurance our students carry with them when they go to a site is \$1,000,000/per single occurrence and \$3,000,000/aggregate.
2. The OAA has a copy of the insurance if a facility needs a copy of it. The request can be made via email.

Q. What is an Indemnification Clause, where is it in our contracts and why is it so important to some of the facilities?

A. UTMB's Indemnification Clause is in the standard **100-B Affiliation Agreement**

on Page 2 -*Number* 13. In fact, this is the only difference between our 100-A and 100-B Agreements. This wording is often referred to as a 'hold harmless' clause because of the language contained in it.

This clause is important to some facilities because it mentions UTMB will hold the facility harmless from liability in certain instances.

UTMB prefers not to refer to any indemnification clause and therefore, encourages the use of 100-A Agreements. However, many of our facilities request this clause in their agreements with us and upon that request, we use the 100-B Agreement. Be sure to note that a 100-B is to be used in the appropriate space on your request form. Unless notified via the request form, a 100-A will always be sent.

Q. Why is it so important that my students go only to facilities with which we have agreements in place? Whose business is it where I send my students?

A. When students go to an affiliation site for their clinicals, the UTMB insurance goes with them. However, this insurance is in place only when there are signed legal agreements stating our students have the authority to be there. If students are in a facility without all legalities in place, the student, the department, the school, and the university are open to lawsuits if anything goes wrong. Everyone is placed in jeopardy because there is no insurance in place.

Because it was discovered there was a high probability each semester of students going to sites with no agreements in place, the OAA has begun requesting a list from each department which links every student to the facility they will be assigned for that semester. This list is checked against files in OAA, and if in question, with Legal in order to verify that the facility can be used.

Q. Can I do a 'one-student-for-one-time-only' Affiliation/Program Agreement?

A. No. This type situation may only be handled with an Affiliation Letter.

Q. Can I request an agreement with a sole owner, such as a doctor's office?

A. No. Individual doctor's offices should be handled with an Affiliation Letter which can be renewed yearly.

Q. Do I have to have any type of agreement when using an 'Enrichment Site' since the students are usually at these sites for less than a week and are supposedly there to observe?

A. An Affiliation Letter with delegated signatory signing should be used in these instances. No department can enter into a valid contract on its own. A document of this nature is necessary to cover everyone due to liability issues.

Q. Are out-of-state agreements handled differently than in-state agreements?

A. No. All agreements regardless of facility location are handled the same.