



Goin' fishin'

10 points to help you lure good employees

reader take-away

- Understand the federal laws that apply to hiring, retaining and compensating employees
- Know what to include in formal job descriptions
- Learn how to outline what's important to your practice
- Recognize right and wrong ways to ask questions of job applicants
- Learn how to extend a job offer

A medical practice's people are its most important asset. Regardless of how well a practice is organized and financed, achieving its strategic goals depends on careful recruitment and retention of good employees. Here are 10 points to follow when hiring that can smooth the process and help ensure that you get the best people for the jobs.

employer-employee relationship and working conditions. The table on page 39 describes federal laws that apply to hiring, retaining and compensating employees. Ask your attorney for legal guidance.

Articulate your practice's mission, goals, priorities and values

Identify your organization's unique features, current and future directions, three- to five-year goals and employee characteristics. You want to hire people who will support your practice and its objectives. The table on page 40 compares two pediatric practices with different goals, priorities and values.

Clarify vacant positions by stating the goals and requirements

Outline tasks and objectives for open positions. Use this information as a foundation to develop formal job descriptions that

Understand federal, state and local employment laws

First, make sure you understand the federal, state, and local laws that govern the

You want to hire people who will support your practice and its objectives.

By Margie Satinsky, MBA



about the author

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include:

- Job title;
- Reporting relationship;
- Span of control/supervisory responsibilities;
- Required initiative/leadership;

- General summary of duties and responsibilities;
- Primary and secondary functions;
- Working conditions;
- Physical and mental effort required;

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Federal laws that apply to hiring, retaining and compensating employees

Law	Highlights
Title VII of the Civil Rights Act	Covers employment decisions based on race, gender, age (40 and older), religion or national origin in businesses with 15 or more employees Places burden of proof on employer and permits compensatory and punitive monetary damages for discrimination
Pregnancy Discrimination Act of 1978	Amendment to Title VII that protects against discrimination based on pregnancy, childbirth or related medical conditions in businesses with 15 or more employees Applies to hiring, terms and conditions of employment, health insurance and fringe benefits
Age Discrimination in Employment Act of 1987	Protects people age 40 and older Applies to recruitment and employment by employers with 20 or more employees
Family and Medical Leave Act of 1993 (FMLA)	Applies to employers with 50 or more employees within 75 miles of the work site Allows employees 12 weeks of unpaid leave to care for a child after birth (or placement for adoption or foster care), to care for the serious health condition of a family member (e.g., child, spouse, parent), or for the employee if a health condition prohibits him/her from performing the job Gives employer the option to pay the employee for time away from the workplace Requires consistency in policy for all FMLA leaves
Americans with Disabilities Act (ADA)	Applies to public and private employers with 15 or more employees Prohibits discrimination against people with physical or mental disabilities in employment, government programs and services, and public accommodation Applies to the application process, interviewing, hiring, testing, disciplinary actions, medical exams, compensation, job training, assignments, leave, layoffs, promotions, discharge and benefits. Covered employers must make reasonable accommodations for disabled people to perform the essential functions of a job In medical practices, the law also protects the right of patients not to be denied medical services because of their health conditions
Fair Labor Standards Act (FLSA)	Regulates wages, hours, records and reports, and child labor Applies to compensation for exempt and nonexempt employees Includes exemption tests
Equal Pay Act of 1964 (amendment to FLSA)	Provides protection against salary discrimination based on gender Applies to businesses with two or more employees
Occupational Safety and Health Act (OSHA)	Names 10 controls to prevent and mitigate the effects of workplace hazards, including violence by patients and workforce

Sample mission, goals, priorities and values for two practices

	Pediatric practice A	Pediatric practice B
Mission	Provide quality pediatric and adolescent care to the community	Provide quality pediatric and adolescent care to the community
Goals	Address the changing needs of a culturally diverse patient base	Stabilize the practice's administrative and financial foundations
Priorities	Replace the retiring practice manager Open a satellite office to better serve the western part of the county Select and implement an electronic health record in the practice	Recruit a full clinical team and concentrate on job stability
Important values	Decision-making by physician consensus Open discussion Respect for the input of all members of the workforce	More hands-on management by the three owners

- Time commitment; and
- Performance requirements (i.e., knowledge/skills/abilities, education, experience, certification, licenses and alternatives to minimum qualifications).

Publicize the position internally and externally

If you encourage current employees to apply for other positions, tell them about the

vacancy. Mention the position to colleagues. Check job-search assistance provided by professional organizations. Post the job on your Web site. If none of these methods produces a pool of qualified applicants, consider paid advertising.

Have a résumé reviewer

Ask one person in your practice to review the résumés that you receive. Be courteous:

Suggested ways to approach job interview questions

Topic	Approach
Age	Ask if the applicant is of legal working age; don't ask the actual age.
Citizenship	Citizenship should be in the job application, so there is no need to ask whether the applicant is legally permitted to work in the United States, is naturalized or native-born.
Disability or handicap	Ask about the applicant's ability to perform the essential job functions, with or without reasonable accommodation. Don't ask about physical or mental health.
Gender	Ask applicants about availability to work during normal business hours. Avoid questions about gender roles or pregnancy.
Organizations and memberships	Ask about memberships in professional or technical associations relevant to the job. Don't ask a blanket question about all organizations, clubs or societies.
Religion or creed	Avoid questions about religion unless it is a bona fide qualification for the position.

Adopted from Medical Group Practice: Legal and Administrative Guide. Gaithersburg, Md., Aspen Publishers, 1999-2003.

Notify all applicants that you have received their applications and tell them your timetable. This will also reduce phone calls.

Conduct both telephone and face-to-face interviews

Because patient interaction is so important in practice management, telephone interviews can give you a feel for applicants' communication skills first-hand. Use a structured list of questions so you ask all applicants the same things (see "Suggested ways to approach job interview questions," page 40). Know what you can and cannot ask to comply with federal and state laws. For example, ask about an applicant's ability to

Be courteous: Notify all applicants that you have received their applications and tell them your timetable.

perform the job, not about a handicap.

Start with one-on-one interviews. When you bring applicants back for second interviews, involve other members of your team.

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Cedar Ridge Obstetrics & Gynecology, P.A.
201 Cedar Ridge Way
Durham, NC 27705

March 25, 2006

Jane Boss
1301 School Lane
Raleigh, NC 27607

Dear Jane:

On behalf of Cedar Ridge Obstetrics & Gynecology, P.A., I would like to offer you the position of Practice Manager at a starting annual salary of \$75,000 plus benefits starting August 1, 2006. In this position, you will report directly to Dr. Seth Lance, the Managing Partner of the practice.

Attached to this letter are a job description and the benefits for which you will be eligible following our standard 90-day probationary period.

As with all members of our workforce, we will ask you to complete drug and alcohol testing prior to employment. Please call Susan Alexander at (919) 746-0223 at least two weeks before your first day of work so she can arrange for this testing and make sure that all paperwork related to your employment is complete.

Please contact me at (919) 888-8888 if you have questions. We look forward to you joining our practice.

Sincerely,
Meagen Felix
Chief Executive Officer

Sample offer letter for new employee

[@ www.mgma.com](http://www.mgma.com)

- In the *Search* box enter “human resources,” “human resources law” and “human resources management”; in the *Tools* area go to Human Resource Management to find sample letters, a compensation system tool and more; in the *E-mail forums* area, sign up for the MGMA Human Resources Society e-mail forum
- In the *Store*, enter 6569 in the Search box for the book *Here Today, Here Tomorrow — Transforming Your Workforce from High-Turnover to High Retention*; 6551 for the on-demand Webcast; 6357 for the Medical Practice Management Body of Knowledge Review Series — Human Resource Management; 5558 for the audiotope “How to Hire and Keep Good People in Your Medical Group Practice”

An offer letter differs from an employment contract; for some employees you may want both.

Check references carefully, perform criminal and background checks

The financial penalties and/or repercussions for billing fraud and clinical incompetence are severe. Outside services can provide assistance. Consider these questions when calling an applicant's references:

- When did this individual work for your organization?
- What job did this individual perform?
- Did the individual carry out his/her responsibilities to your satisfaction?
- Did you encounter any problems with this individual's performance? If so, what were they?
- As I am a potential future employer, is there anything else you can tell me about this individual's ability to perform his/her job?

Extend the job offer, first by phone and then in writing

An offer letter differs from an employment contract; for some employees you may want both. The offer letter (see sample, page 41) should include:

- Job title;
- Starting date;
- Reporting relationship;
- Job description;
- Benefits and eligibility dates;
- Description of your initial probationary period;
- Instructions for drug and alcohol screening; and
- Information on orientation.

Provide a comprehensive orientation program

A comprehensive orientation program sets expectations in advance, helping reduce the likelihood of miscommunication and unsatisfactory performance.

Use a formal performance evaluation program

Conduct regular performance reviews to evaluate each employee's accomplishments and ability to achieve agreed-on goals.

If you need assistance with any of these steps, consider outside help for the short term. General practice management consultants and human resource consultants can assist you with job descriptions, advertising, interview questions, prescreening of job applicants, interviewing, preparation of employee orientation programs and development of performance evaluation programs. A solid foundation of human resources knowledge and an established protocol can help you hire the best people for your practice. 

A comprehensive orientation program sets expectations in advance, helping reduce the likelihood of miscommunication and unsatisfactory performance.

e-mail us

Does your organization have a formal approach to hiring? Tell us at connexion@mgma.com