



RESOLUTION: 47(20)

SUBMITTED BY: Emergency Medicine Residents' Association
Pennsylvania College of Emergency Physicians

SUBJECT: Honoring Employment Contracts for Graduating Emergency Medicine Residents

PURPOSE: Partner with EMRA to encourage all employers to honor their employment contracts with graduating emergency medicine resident physicians.

FISCAL IMPACT: Budgeted committee and staff resources to assist with communication efforts or additional policy development related to encouraging employers to honor their employment contracts with graduating residents.

1 WHEREAS, Many emergency medicine residency graduates have had their first employment contracts
2 cancelled or amended during the COVID-19 pandemic; and
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4 WHEREAS, The median educational debt for medical school graduates was \$192,000 in 2017 with three-
5 quarters of all graduates having some level of debt¹; and
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7 WHEREAS, Debt has significantly altered career and life decisions for current and recently graduated
8 emergency medicine residents²; and
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10 WHEREAS, ACEP believes that physicians who begin the practice of emergency medicine in the 21st
11 century must have completed an accredited emergency medicine residency training program and be eligible for
12 certification by the American Board of Emergency Medicine (ABEM) or American Osteopathic Board of Emergency
13 Medicine (AOBEM)⁴, and
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15 WHEREAS, Only 61.1% of practicing emergency medicine clinicians in the United States are emergency
16 medicine physicians with 14.3% being non-emergent physicians and 24.5% being advanced practice providers³; and
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18 WHEREAS, 27.1% of counties have no emergency medicine clinicians and 41.4% of counties have no
19 emergency physicians reimbursed by Medicare fee-for-service Part B³; and
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21 WHEREAS, Residency trained emergency physicians have been shown to significantly improve mortality,
22 particularly among patients with the highest severity of illness, while bringing down admission rates⁵; and
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24 WHEREAS, Graduating emergency medicine physicians comprise the future of the specialty; therefore be it
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26 RESOLVED, That ACEP partner with the Emergency Medicine Residents' Association to encourage all
27 employers to honor their employment contracts with graduating emergency medicine resident physicians.

References:

1. <https://www.aamc.org/system/files/reports/1/august2017anupdatedlookatattendancecostandmedicalstudentdebtatu.pdf>
2. <https://pubmed.ncbi.nlm.nih.gov/27181080/>
3. Hall, MK et al. (2018). State of the National Emergency Department Workforce: Who Provides Care Where? Annals of Emergency Medicine. 2018;72(3):302-307.
4. <https://www.acep.org/patient-care/policy-statements/the-role-of-the-legacy-emergency-physician-in-the-21st-century/>
5. <https://jamanetwork.com/journals/jamainternalmedicine/article-abstract/2753679>

Background

This resolution calls for ACEP to partner with EMRA to encourage all employers to honor their employment contracts with graduating emergency medicine resident physicians.

Since the outbreak of the COVID-19 pandemic, many hospitals, emergency medicine groups, and emergency physicians have reported significant reductions in patient volumes as people with other conditions of varying acuity avoided going to the emergency department due to fears of contracting the coronavirus.

A [report by the Medical Group Management Association](#) states that, as early as April, medical group practices of all sizes and specialties have experienced significant financial hardship from the pandemic, noting that “97 percent of practices have experienced a negative financial impact directly or indirectly related to COVID-19.” The report also states that “on average, practices report a 55% decrease in revenue and 60% decrease in patient volume since the beginning of the COVID-19 crisis.”

A [report](#) by physician search firm Merritt Hawkins demonstrated the dramatic drop in recruitment efforts for physicians since the start of the pandemic. It reported that physician search engagements, which had increased for the 12 months ending March 31, declined by more than 30 percent in the next 60 days.

Hospitals and groups were forced to respond to the dramatic decline in revenue. Many did so through a reduction in physician hours and shifts, as well as furloughs of physicians and other staff.

Another significant ramification from the cost-cutting measures imposed as a result of the impact of COVID-19 has involved new residency graduates having their first employment contracts cancelled or amended. EMRA reports numerous incidents of residents having their contracts pulled back after they were signed by both parties. An EMRA Board member experienced a 15% reduction in hours, 10% cut in pay, and elimination of a bonus payment. Other residents have reported being sent to staff different facilities than what was initially promised. EMRA leadership reports these trends appear to be worsening.

A [statement released by EMRA](#) on April 27 states: “Rescinding emergency medicine physician employment contracts in the middle of a global pandemic, exactly when we need to remain vigilant, will hurt our health care system’s readiness. Now is not the time to cripple the front lines and devastate our newest emergency medicine attendings.” The statement added that EMRA “strongly encourages employers to honor their commitments to graduating emergency medicine residents and fellows. While we acknowledge the COVID-19 pandemic has changed the health care landscape, we ask employers to explore every option to fulfill the employment contracts already offered to graduating emergency medicine residents. We urge health care administrators to care for their frontline workers in the same way those emergency medicine physicians are caring for patients: with an eye to the common good rather than the bottom line.”

In considering ways that ACEP might partner with EMRA to encourage employers to honor their employment contracts with graduating residents, EMRA leadership suggested potential approaches that could include efforts to:

- Encourage groups to restructure their contracts so that promises can be upheld, and residents can still join the intended group, understanding they may not get the same contract/hours.
- Have employers provide reassurance to residents that terms of the contract will be met should volumes return in the future.
- Reward and recognize employers willing to hire graduating residents in the current climate.
- Advocate for removal of “all cause” termination language in contracts for new graduates, which allow contracts to be dissolved for any reason within a certain number of days’ notice.

ACEP issued a press release on April 7 under the title “[Now is Not the Time to Reduce Support for Health Care Heroes.](#)” The press release included a quote from ACEP President Dr. William Jaquis, stating “Cutting benefits or reducing shifts in today’s environment is akin to signing a ‘Do Not Resuscitate’ order for many emergency departments and the physicians that care for the patients, especially those in rural or underserved areas.”

ACEP's policy statement "[Emergency Physician Contractual Relationships](#)" includes a provision that states "The contracting parties should be ethically bound to honor the terms of any contractual agreement to which it is a party and to relate to one another in an ethical manner." The Policy Resource & Education Paper (PREP) "[Emergency Physician Contractual Relationships](#)" is an adjunct to the policy statement.

ACEP Strategic Plan Reference

Goal 2 – Enhance Membership Value and Member Engagement

Objective H – Strengthen job security and opportunity for individual members at all stages of their careers.

Fiscal Impact

Budgeted committee and staff resources to assist with communication efforts or additional policy development related to encouraging employers to honor their employment contracts with graduating residents.

Prior Council Action

None

Prior Board Action

July 2018, reviewed the Policy Resource & Education Paper (PREP) "[Emergency Physician Contractual Relationships](#)" as an adjunct to the policy statement "Emergency Physician Contractual Relationships."

June 2018, approved the revised policy statement "[Emergency Physician Contractual Relationships](#);" revised and approved October 2012, January 2006, March 1999, and August 1993 with the current title. Originally approved October 1984 titled "Contractual Relationships between Emergency Physicians and Hospitals."

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