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■ Things To Do
in San Antonio

■ The Benefits of Working
in a Teaching Hospital

■ Non-Compete
Agreements: What
You Should Know

Career Guide

PULMONARY & CRITICAL CARE
SAN ANTONIO, TX

October 2018

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Contents

4

San Antonio boasts a rich colonial heritage, great shopping and down-home cuisine. See why it's a tourist favorite.

10

Discover **The Benefits of Working in a Teaching Hospital**.



16

What do you need to know about **Non-Compete Agreements**? Read on for answers.

Things To Do in San Antonio

Enjoy the rich heritage and southern hospitality of San Antonio

San Antonio is one of Texas' most visited cities. In 2016, 34.4 million tourists traveled to San Antonio, which boasts many famous historic sites, including the River Walk, the Alamo and the historic missions. In addition, the city has many other attractions, making it one of America's most popular vacation destinations.

River Walk

The beating heart of San Antonio is the River Walk, where the San Antonio River courses through the center of the city. A stone walkway circumnavigates the river's flow, along with restaurants, charming bridges and trees that line the river's banks. It's a great place for flaneurs, or a destination dining spot. One of the best ways to experience the tranquility of the area is aboard the barges that cruise up and down the river. Both sightseeing cruises and dinner cruises are available.

210-244-5700

riosanantonio.com/rivertours

The Alamo

Anyone who took American History in school knows about the Alamo, where, in 1836, the Battle of the Alamo occurred. Prior to the battle, the Alamo was a mission, not a fortress. A few hundred Texans, including Davy Crockett and Jim Bowie, defended the Alamo against 3,000 soldiers of the Mexican Army. Although all the defenders perished, their sacrifice spurred many Texans to join the army of Sam Houston in the fight for independence. Today, the Alamo is the most popular tourist site in Texas.

300 Alamo Plaza | San Antonio, TX 78205

210-225-1391

thealamo.org

San Antonio Missions Historical Park and Mission Trail

Built by monks of the Franciscan Order, the five missions of San Antonio provide a wonderful experience. The missions include: the Alamo (Mission Valero), Mission San Jose, Mission Concepcion, Mission San Juan and Mission Espada. The five missions interconnect via the Missions Trail. Visitors may either drive from mission to mission, or if they prefer, bike from mission to mission, traveling along the Mission Hike and Bike Trail. Bikes may be rented at any of the many bike stations.

nps.gov/saan/index.htm

San Fernando Cathedral

San Fernando Cathedral (Church of Nuestra Senora de la Candelaria y Guadalupe) has two claims to fame: it is one of the oldest cathedrals in America, and the last resting place of the men who fell at the Alamo. The cathedral, finished in 1750, sits on Main Plaza, where every evening compelling video-art is presented. The images of the video are projected on to the wall of San Fernando Cathedral, which forms a 7,000-square-foot screen. The presentation includes narration and choreographed music, as the video depicts the history and transformation of the city of San Antonio over the passage of time.

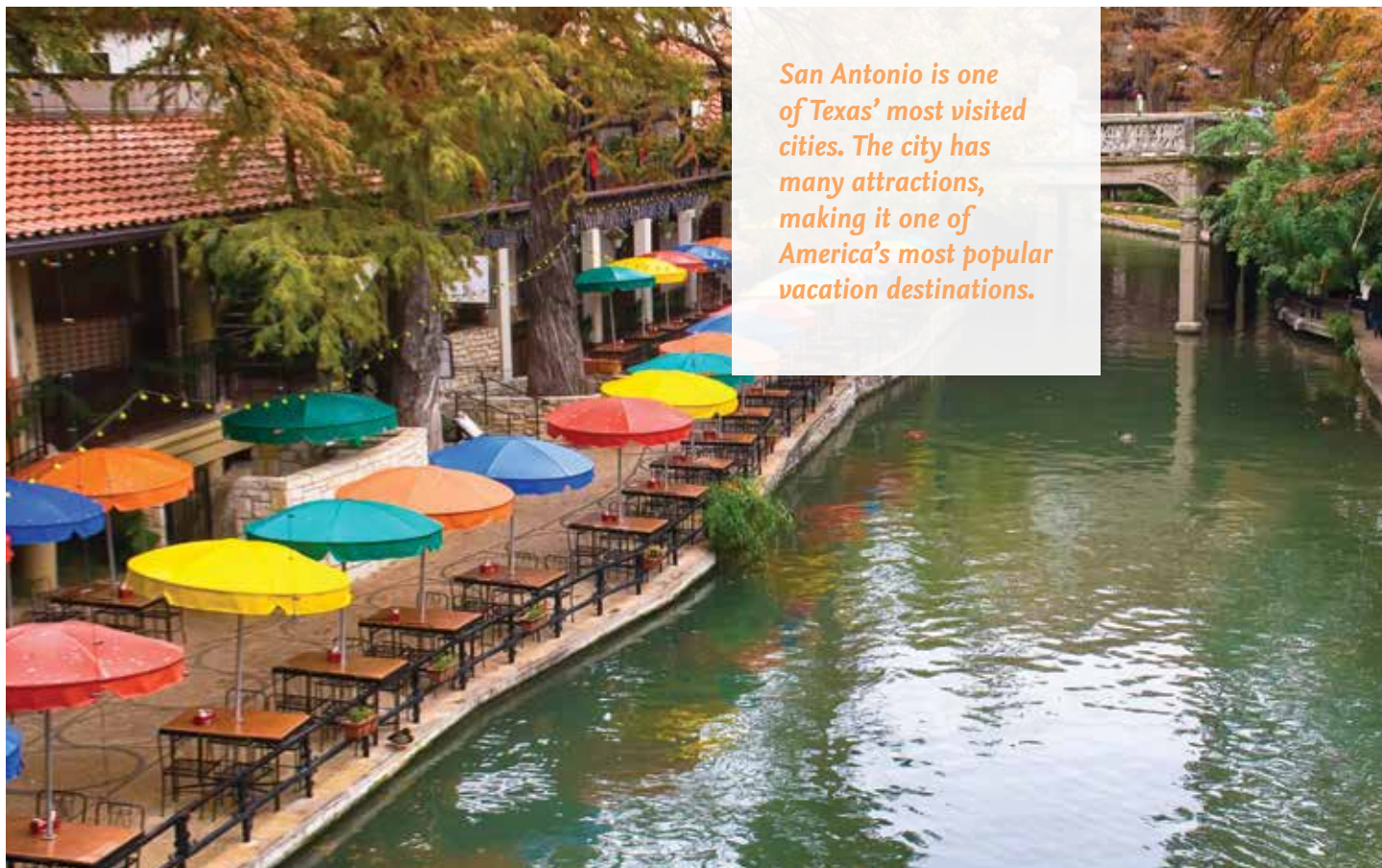
115 West Main Plaza | San Antonio, TX 78205

210-227-1297

sfcathedral.org

Pearl District / Farmers Market

Located in "Old San Antonio" is the historic area known as the Pearl. Home to elegant refurbished buildings, boutique shops



San Antonio is one of Texas' most visited cities. The city has many attractions, making it one of America's most popular vacation destinations.

and numerous restaurants, the Pearl is all about ambience. The variety of restaurants is amazing, while the food served represents a gastronomist's delight. Dining experiences span the spectrum, from expensively posh to trendy, hip cuisine. One of the Pearl's most famous restaurants is Nao Latin Gastro Bar. On weekends, the Pearl district kicks it up a notch, setting up a vast Farmers Market on a street open only to foot traffic, where vendors offer baked goods, treats and fresh produce.

Pearl Brewery 303 Pearl Parkway, Suite 300 | San Antonio, TX 78215
210-212-7260
atpearl.com

El Mercado, Market Square

When you visit San Antonio, you certainly don't want to return empty-handed. The place to go is Market Square, a three-block wide expanse of restaurants and specialty shops. When there, go inside the El Mercado, which is a shopper's paradise, offering anything you can think of, and much more. After you finish shopping, revive your energy levels at Mi Tierra Café Y Panaderia, a city-block-sized restaurant that's been there since 1941. It's open 24/7 and has mouth-watering Mexican food, along with Christmas lights and wandering musicians.

115 Plaza de Armas | Suite 102 San Antonio, TX 78205
210-207-4526
marketsquaresa.com

San Antonio Museum of Art

The San Antonio Museum of Art, located next door to the picturesque River Walk, contains an exquisite collection of ancient art from Egypt, Greece and Rome, along with impressive examples of artwork from Latin America, America, Europe and Asia. In fact, the museum encompasses one of the largest collections of Asian art and Chinese ceramics in the United States. And if time permits, you might also visit the McNay Art Museum, featuring medieval and Renaissance artwork, which is located in an expansive Spanish Colonial home, formerly the estate of Marion McNay.

200 W. Jones Ave | San Antonio, Texas 78215
210-978-8100
samuseum.org

San Antonio Zoo and Aquarium and Six Flags Fiesta Texas

Children and adults will enjoy a visit to the San Antonio Zoo and Aquarium. The facility sits on 35 acres of property and boasts a menagerie of 3,500 animals from more than 750 different species. A few other features make the zoo a popular destination: the San Antonio Zoo Eagle, a narrow-gauge railroad train, and an old-time carousel. Six Flags Fiesta Texas is built on what was once a rock quarry. The park offers thrilling roller coasters, a plethora of dizzying rides, a water park and a

(continued on page 8)



WORK & PLAY IN NORTHWEST MONTANA



Sleep Medicine Physician Opportunity

Just a stone's throw from Glacier National Park, Kalispell, Montana offers an active, outdoor lifestyle with amazing scenery and adventure. Kalispell Regional Healthcare provides a unique collegial medical environment that is committed to excellence. Rocky Mountain Heart & Lung is a KRH practice that provides cardiac and pulmonary care to northwest Montana with a progressive and innovative sleep disorder center. Learn more about the Kalispell Regional Healthcare Sleep Center at krh.org/sleep.

- Seeking board-certified sleep physician committed to clinical excellence
- Board-certified in pulmonary and/or critical care a plus
- Member of comprehensive cardio-pulmonary/sleep medicine team
- Highly-skilled team including two board-certified sleep physicians
- Four-day work week and competitive compensation package
- Expanding services with regional outreach program
- AASM- and ASC/ESC-accredited sleep disorder center with four beds
- Five satellite sleep centers with eight additional beds
- Developing telemedicine network
- Medical directorship opportunity

To learn more about this opportunity please contact:

Jared Wilson, Physician Recruiter · (406) 751-5318 · jwilson@krmc.org

KALISPELL REGIONAL HEALTHCARE

krh.org/joinourteam



St. Luke's University Health Network, the region's largest, most established health system and one of the nation's 100 Top Hospitals is looking for BC/BE Pulmonary Critical Care physicians to join their well-established team in beautiful Lehigh Valley, PA and Monroe County, PA. The Pulmonary Critical Care team provides a mix of inpatient and outpatient Pulmonary and Critical Care services with residents and fellows in an academic center and is supported by excellent colleagues and well trained, dedicated support staff. This opportunity includes call expectations of 1 in 4 weekends. Sleep medicine is optional. ***This employed position offers:***

- Exceptional salary with incentive plan
- Rich benefits package, including malpractice, health & dental insurance, CME Allowance
- Opportunities to teach
- Relocation Assistance

Founded in 1872, St. Luke's University Health Network (SLUHN) is a fully integrated, regional, non-profit network of 14,000 employees providing services at 10 hospitals and over 300 outpatient sites. With annual net revenue of \$1.9 billion, the Network's service area includes 10 counties spanning PA and NJ. Dedicated to advancing medical education, St. Luke's is the preeminent teaching hospital in central-eastern Pennsylvania. In partnership with Temple University, St. Luke's created the region's first and only regional medical school campus.

St. Luke's physicians have the ability to enjoy a well-balanced lifestyle, focusing on their passion for practicing medicine as well as spending quality time with their families. If you are a physician interested in collaborating with an innovative health system recognized for excellence in improving patient outcomes, a rewarding journey awaits you!

About the Lehigh Valley!

Set amid gentle hills and charming country sides, Lehigh Valley, PA is home to dozens of beautiful towns and picturesque boroughs, parks, trails, and waterways as well as outstanding higher education. The Lehigh Valley is in close proximity to NYC, Philly, DC and the Jersey Shore. Cost of living is low and coupled with minimal congestion; choose among a variety of charming urban, semi-urban and rural communities your family will enjoy calling home. There is easy access to outdoor activities like skiing, snowboarding, white water rafting, and zip lining. For more information please visit www.discoverlehighvalley.com.

If you are interested in this opportunity please contact:

Jillian Fiorino

Physician Recruiter

St. Luke's University Health Network

Jillian.Fiorino@sluhn.org



Livia Bratis, DO
Section Chief,
Pulmonary Medicine

*This is the fifth time St. Luke's has won Truven Health Analytics **100 Top Hospitals** award and the third year in a row!*

*St. Luke's was also named one of the **15 top Major Teaching Hospitals!** We are the **only** hospital in our region to win this award!*



801 Ostrum Street
Bethlehem, PA 18015
www.sluhn.org

(continued from page 5)

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210-734-7184

sazoo.org/index.cfm

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210-697-5050

sixflags.com/festatexas

Golf

A little known fact about Texas is that it has some of the best golf courses in the country. And like everything in Texas, bigger is better. La Cantera Resort & Spa offers not just one, but two excellent golf courses: the Palmer Course and the Resort Course. The Hyatt Regency Hill Country Resort and Spa has a premiere 18-hole course, as does the JW Marriott San Antonio Hill Country Resort and Spa.

sanantoniogolf.com ■



Bronson Medical Group has an exciting opportunity for Pulmonary and Pulmonary Critical Care physicians in Battle Creek and Kalamazoo, Michigan. The physician led Medical group is part of Bronson Healthcare Group, a multi-hospital health care system with a patient centered, multidisciplinary approach to patient care. We are currently adding to our Bronson Battle Creek Hospital pulmonary critical care team, which provides coverage for our medical ICU and in-patient pulmonary services, as well as our out-patient pulmonary clinic. We are also adding to our Kalamazoo Bronson Pulmonary and Medicine Specialists team that provides pulmonary inpatient consults and maintains two outpatient pulmonary practices. The opportunity to support the Bronson Adult Critical Care service is available but not required.

All positions will be employed, offering a competitive salary and bonus structure with comprehensive benefits, generous CME, PTO, sign-on bonus, student loan repayment, fellowship stipend, malpractice coverage with tail, and relocation assistance. Opportunity exists to pursue academic affiliation through Western Michigan University School of Medicine.

Bronson Healthcare Group serves patients and families throughout southwest Michigan and northern Indiana. Offering a full range of services from primary care to advanced critical care, our goal is to provide you with the right care, at the right time, in the right place. With a workforce of more than 8,800, we're one of the area's largest employers. And our physicians and staff are nationally recognized for many exceptional achievements in quality, safety and service.

Bronson Healthcare Group is located just east of Lake Michigan and 150 miles from the Chicago area offering a diverse cultural opportunity, very affordable real estate, a major focus on education and a variety of recreation options. Our local area is home to several international companies including Stryker, Pharmacia and Kellogg, along with Western Michigan University School of Medicine and residency program.

Interested candidates may send a Curriculum Vitae to Cadace Lee
@ leeca@bronsonnhg.org or call 269-341-8631.



DREXEL UNIVERSITY

College of
Medicine

Drexel University College of Medicine is seeking an academic physician to join the Division of Pulmonary, Critical Care and Sleep Medicine at Hahnemann University Hospital in Philadelphia. Candidates must be board certified/eligible in Pulmonary/Critical Care, have strong teaching and clinical skills, and have established clinical or translational research interests. Certification/eligibility in Sleep Medicine is preferred but not necessary. Outstanding opportunity in the heart of Philadelphia. Patient population is diverse with a wide spectrum of Pulmonary, Critical Care and Sleep disorders. Collaboration opportunities are available with Drexel's Schools of Biomedical Engineering and Public Health. Candidates will attend in medical ICU and pulmonary consult services at Hahnemann, develop an outpatient subspecialty clinic, teach students, residents and fellows, and will have opportunity to develop research and clinical interests. The division has research interests in asthma, cystic fibrosis, sleep, ICU outcomes, neuromuscular disease, and mechanisms of human lung mast cell function. A strong mentorship network is provided with future opportunities for leadership. Salary and academic rank are commensurate with experience.

Send CV to Michael Sherman MD, Division Chief, at ms58@drexel.edu.

The Drexel University College of Medicine supports an inclusive and diverse environment. Drexel University College of Medicine is an affirmative action/equal opportunity employer committed to excellence through diversity. We are seeking applications from diverse candidates inclusive of women and minorities.



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Ballad Health operates a family of 21 hospitals in Northeast Tennessee and Southwest Virginia, including a dedicated children's hospital, several community hospitals, three critical access hospitals, a behavioral health hospital, and an addiction treatment facility.

Norton Community Hospital (NCH), is recognized for its black lung treatment services, high-quality imaging technology outstanding inpatient rehabilitation services, and osteopathic internal medicine residency program.

Find yourself at Ballad Health

Physician Opportunity

Black Lung Opportunity

Norton Community Hospital, a division of BalladHealth, is seeking a BC/BE Pulmonologist with a background in Critical Care to join its growing Black Lung Clinic in beautiful Norton, Virginia. Provider will join a team that will observe, diagnose, prepare testing and treat patients for diseases of the lung; serve as a consultant to inpatients with pulmonary disease and ICU patients -including rounding, ordering diagnostic tests, medications and other treatment modalities in hospital and clinic located on campus. This opportunity not only allows you to grow as a provider, but expands your skill set by taking advantage of our on-the-job training in the growing field of Black Lung disease. Candidates should possess skills including arterial line placement and bronchoscopies (Critical Care and EBUS experience is a plus).

Highlights of the position

- Four day work week (10 hour days)
- No Black Lung experience necessary
- Work with/teach Internal Medicine Residents
- Open ICU with code team and rapid response team
- Possible Research Opportunity & Future Growth
- Comprehensive benefits package including retirement

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Career Guide

A powerful and effective recruitment solution that reaches top healthcare talent through the industry's key society conferences and myHealthTalent.com.

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Ariel Medina
a.medina@elsevier.com
212-633-3689
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CONTRIBUTOR: MELANIE GRANO

The Benefits of Working in a Teaching Hospital

Many physicians will work in a teaching hospital during their residency years – perhaps longer if they chose to pursue a fellowship. But teaching hospitals are not only an essential workplace at the beginning of a physician's career – they have much to offer throughout your career.

Reason #1: Your Choice of Specialty

Teaching hospitals are the backbone of medical services in the USA. The nation's 1,000+ teaching hospitals train more than 100,000 new physicians and other health professionals every year. They disproportionately deliver specialized services, complex treatments and life-saving care, including 88% of comprehensive cancer care centers and 71% of all level-one trauma centers. This makes teaching hospitals a natural choice for physicians working in these specialized services.

Reason #2: A Culture of Excellence

In a 2016 article in the [Washington Post](#), Harvard medical professor David Silbersweig noted that “physicians in other settings routinely refer patients to teaching hospitals when they can't figure out what is going on, when there are complications, or when they have run out of treatment options.” A 2002 literature review by John Z Ayanian and Joel S Weissman looking at teaching hospitals and quality of care found that “for common conditions, particularly in elderly patients, major teaching hospitals generally offer better care than do nonteaching hospitals.” It is this commitment to delivering

excellent care that attracts the best and the brightest to our teaching hospitals.

Reason #3: Leading Edge Research and Treatment

One of the reasons teaching hospitals are highly regarded and able to offer such excellent care is because of the research and clinical trials that are undertaken by them. This ensures our teaching hospitals are the leaders in new treatments and cures. The possibility of being at the forefront of medical breakthroughs is a strong reason for choosing to work at a teaching hospital. But you don't have to be at the forefront of research to benefit from this aspect of a teaching hospital: the culture of teaching hospitals ensures that these analyses and breakthroughs are shared throughout the institution. Silbersweig argues, “only academic medical centers can provide the environment and expertise that advance the practice of medicine, and ultimately the health of society.”

Reason #4: Publishing Research

Being involved in leading-edge research doesn't only advance the care you are able to offer patients, there are personal advantages too. First, the ability to stay in the forefront of your chosen field. Second, publishing research or being co-author on an important paper based on the research conducted at your teaching hospital offers opportunities for career advancement you simply can't get at another institution. One of the world's most internationally recognized medical journals, the [BMJ](#), references the following benefits of publication for your career: “Career advancement. International recognition. Advancing



Teaching hospitals are the backbone of medical services in the USA training more than 100,000 new physicians and other health professionals every year.

medicine. An influx of funding. These are just a few of the benefits associated with publishing medical research in a peer-reviewed journal with a high impact factor.”

Reason #5: Travel

The benefits of participating in leading-edge research expands your boundaries beyond advancing standards of care and advancing your career. The possibility of national and international travel to present research findings are another major benefit. While the prospect of international travel might not be attractive to physicians who are already struggling to balance work and life with the needs of a young family or the other demands of home life, the prospect of being paid to present your findings to other leaders in your field in international centers of excellence is an undeniable attraction to some. If you have this opportunity, it’s worth referring to the presentation tips offered by the [American College of Physicians \(ACP\)](#).

Reason #6: More Opportunities to Learn

In training young doctors, Lara Goitein argues, “Medical education is essentially a verbal tradition: knowledge is imparted by physicians talking and demonstrating what they mean at the patient’s bedside much more than through the written word.” The teaching hospital offers the greatest opportunities to nurture your talent.

Reason #7: Being Mentored

The Institute of Clinical Research Education states, “Mentoring is the key for developing and sustaining a satisfying professional career.” The greater potential to connect with mentors is another powerful reason to choose to work at a teaching hospital. Compare this with the talent pool with whom you are able to connect in a small rural hospital and you can clearly see the advantage of working in a teaching hospital in terms of finding someone from whom you can learn and make a valuable personal connection.

Reason #8: Being a Mentor

The advantage of this wider talent pool in teaching hospitals works both ways. For more senior caliber staff, the opportunity to share your knowledge with passionate and motivated junior staff is compelling. Being a mentor is a rewarding experience and the teaching hospital environment offers far more potential for connecting with others whom not only share your specialty but whom share your passion.

Reason #9: Improved Career Prospects

For all these reasons, a teaching hospital offers one other major advantage: improved career prospects. Whether through mentoring, research, published articles or simply exposure to leading-edge treatments and technologies and high-caliber peers, working at a teaching hospital is good for your career.

Reason #10: Better Job Satisfaction

What's more, the culture of excellence and the enhanced opportunity for learning and knowledge-sharing in a teaching hospital are important contributors to increased job satisfaction. In an age when we are seeing a crisis in [physician burnout](#) and high numbers of people leaving the profession, job satisfaction is more important than ever – both on a personal level and for the profession and service as a whole. Of course, there is a role for mentors in modeling and supporting work-home balance, but the spiritual satisfaction of delivering the highest quality of care and sharing knowledge with peers and juniors helps to recharge depleted batteries and reconnect physicians with the reasons they went into the career in the first place.

Whatever stage you are in your career, working in a teaching hospital can be an incredibly rewarding experience; helping you to develop your career while offering you an opportunity to give back to those just starting theirs. ■

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Physician Burnout, [Agency for Healthcare Research and Quality](#)

ABOUT THE AUTHOR

Melanie Grano is a freelance business writer and 20-year Journalism veteran who regularly contributes to career-based publications, including *ThirdCertainty* and *Computer Times*.

Dallas, Texas Intensivist

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Hackensack
Meridian Health

DIVISION DIRECTOR, CRITICAL CARE MEDICINE **HACKENSACK UNIVERSITY MEDICAL CENTER** Hackensack, New Jersey

The Department of Medicine at Hackensack University Medical Center is seeking a Division Director of Critical Care. This is an exciting opportunity to lead and transform the division, critical care services at the institution, as well as network-wide initiatives such as an e-ICU program.

The director will be expected to provide leadership, clinical direction and academic growth for the division as well as contribute to the missions of Hackensack University Medical Center, the Hackensack Meridian Health System, and the new Hackensack Meridian School of Medicine at Seton Hall University. This role encompasses clinical, academic and administrative physician roles for critical care initiatives and operations across the institution related to quality of care, access and efficiency; education and training activities for students, residents and fellows; research activities; and network-wide initiatives. This position reports to the Chair of the Department of Medicine.

The ideal candidate must be board certified in internal medicine and critical care, and have the ability to obtain a New Jersey medical license. In addition, the ideal candidate must have academic accomplishments that would merit the rank of Associate or Professor in the School of Medicine, successful clinical and administrative leadership experience, the ability to collaborate across departments, excellent clinical and teaching skills, proven commitment to supporting research, and mentoring experience.

For immediate consideration
email your CV to Nancy.Massa@hackensackmeridian.org
Or call 732-751-3577.



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Interested candidates send Curriculum Vitae to Cadace Lee @ leeca@bronsonhg.org

**Assistant/Associate Professor of Medicine and Program Director
Division of Pulmonary & Critical Care Medicine
Louisiana State University Health Shreveport**

The Division of Pulmonary and Critical Care Medicine at LSU Health Shreveport is looking for a Pulmonary/Critical Care Medicine physician to join our Division and serve as the Program Director, overseeing the management of the ACGME- approved Pulmonary/Critical Care fellowship program. Our Division houses several fellowships, including a Critical Care Medicine fellowship and an Interventional Pulmonary training program, which all work in a collaborative relationship.

LSU Health Shreveport invites candidates with strong clinical and teaching skills to apply for the position of Assistant/Associate Professor of Medicine and Program Director. Candidates for this faculty position must have all of the following prior to effective date of appointment—Medical Degree or equivalent; Louisiana Medical License; completion of a 3-year Internal Medicine Residency; completion of a 3-year ACGME-approved Fellowship in Pulmonary Disease and Critical Care Medicine; appropriate ABIM board certifications; and sufficient experience as faculty to meet ACGME requirements for Program Director.

Located in northwest Louisiana, LSUHSC-S serves as the only academic medical center for a large catchment area. Our Division offers a wide array of clinical services, including advanced bronchoscopy and adult ECMO. Shreveport, with a population of 440,000 in the greater metro area, has the resources of larger cities, with a low cost of living and a very livable lifestyle.

For consideration, please send CV and three letters of reference to:
ShvFacultyRecruitment@lsuhsc.edu
and or Dr. Robert Walter – rwalt1@lsuhsc.edu.



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- Recent and/or soon-to-graduate Fellows are welcome

INTERESTED IN APPLYING? Call 423-710-3864 or send an email to wwhite@thelungdocs.com. We look forward to hearing from you!

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Louis Caligiuri, Director, Physician Services at lcaligiuri@partners.org

WellStar Medical Group is seeking Board Certified Pulmonary Critical Care physicians to join WellStar Pulmonary Medicine, a well-established, 40+ physician practice in Metro Atlanta, GA. Includes all aspects of pulmonary medicine, including critical care, sleep medicine, out-patient pulmonary, pulmonary rehab, clinical research and interventional pulmonology. Competitive compensation and comprehensive benefits package.

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Non-Compete Agreements: What You Should Know



Physicians in the midst of a job search should be aware that signing a non-compete employment contract with their prospective employer could become expected in contract negotiations.

A physician restrictive covenant, also referred to as a “non-compete agreement,” is a clause in a physician’s contract whereby the physician (employee) agrees to disengage in competition with the employer for a prescribed period of time after he or she leaves that company’s employ.

Although it may seem insignificant, those lines in a contract can change your future. Healthcare attorney and a member of the law firm McDonald Hopkins LLC in Chicago, Steven M. Harris, Esq. advises physicians to consult with a lawyer who is well-versed in the laws of your state before signing a contract containing a non-compete clause. In addition, he says that when considering your next career move, getting a lawyer may help to shed some light on an impenetrable clause.

“I strongly recommend that no employee sign a non-compete without consulting with an attorney first,” concurs David Schein, an attorney who consults with medical practices on employment issues and serves as Director of Graduate Programs at the University of St. Thomas in Texas. Schein adds that an attorney experienced in this area can negotiate items such as a smaller geographic area or a shorter time restriction. Occasionally, people sign agreements without fully understanding the implications. Specialists in certain areas of medicine are in demand, so it makes sense for them to use any leverage upfront.


Non-compete contracts are a way for employers to guard their protectable interests (an employer’s advantage that once the employee-employment relationship ends would make it unfair to allow the employee to compete with it). In this area

of employment law, certain states do enforce non-compete agreements, though there is no national standard. What makes the non-compete clause so confounding is that they vary greatly in what they view as a reasonable non-compete. For example, non-competes in Texas often have geographic restrictions of “50-100 miles of the city where the employee practiced” according to Schein.

Some states bar its use in certain industries, such as medicine and law. In other states such as Connecticut and Rhode Island, laws passed in 2016 prohibit non-competes between employers and physicians.

Thomas Wassel, a partner with Cullen and Dykman in New York, asserts that without federal laws, time restrictions can vary by state. “Connecticut passed legislation that limits non-competes for physicians to one year and limits the geographic scope to 15 miles from the primary practice area,” he says. Two years is common in other states. If the non-compete has to do with a buy-out or merger, it can result in additional restrictions. “Practice buy-out or merger restrictions are enforceable in Texas and often run up to 5 years,” Schein points out. According to Wassel, medical practices in New York want “...to recoup their training and any other costs, such as professional memberships associated with their employee.” Meanwhile, Illinois courts look at “... the investment they (medical practices) have made in forming near-permanent relationships with their patients,” so courts may need to examine whether the practice markets regionally and other efforts to recruit and retain patients.

Robert W. Horton, Esquire of Bass Berry & Sims states, “For a non-compete to be enforceable, it must be considered “reasonable” and “reasonable” non-competes address issues related to geography (i.e. where someone can practice), scope (the work an employee performs in his/her new position),



Physicians should consult with a lawyer who is well-versed in the laws of their state before signing a contract containing a non-compete clause.

NON-COMPETE AGREEMENT

and time restrictions. Limitations are necessary for the non-compete to be enforceable.”

Protectable interest differs from state to state. States try to balance an employer’s protectable interest without appearing to support a restraint of trade (any action that interferes with free competition in a market). The non-compete is a bonding part of a contract, and a physician should fully understand his contract before he enters into it. Signing an agreement without understanding all of the ramifications can cause a person to lose money or professional opportunities.

In New York and Texas, a non-compete needs to offer something called “consideration” in order to be valid; this is when something of value is offered that can be objectively measured, such as a signing bonus. Wassel says, “Employers have to offer value for it. Doctors can fight if there is a no consideration. The mere fact of hiring the doctor can be adequate consideration, if properly documented.” Physicians can also challenge if the non-compete contains anything beyond “reasonable restrictions” to geography, scope and time. Courts may narrow non-competes though it does not mean that a judge will throw it out. Even if a judge agrees to narrow the time frame from two years to one year, a physician is still hampered by a one-year restriction.

For example, in April 2018, 92 doctors of Mecklenburg Medical Group (MMG) sued Atrium Health seeking release from restrictive work covenants and the right to form a standalone practice. Filed in Mecklenburg County Superior Court, the complaint, alleges the health system engaged in anti-competitive practices including non-compete agreements and compelling doctors to refer patients to Atrium facilities if they needed additional care.

At the time of writing, Atrium has agreed to release the physicians from the non-compete agreement and had informed them that their last day would be Aug. 31st. MMG attorneys are reviewing the agreement and how it affects the pending lawsuit.

Even if a physician does prevail in court, there are often substantial costs. Lawsuits are “very expensive initially because (your former employer) can get an injunction,” says Adi Amit, a partner with the law firm Lubell Rosen in Florida. An injunction is a judicial order that restrains a person from beginning or continuing an action that threatens or invades the legal right of another (in this case, a physician working for a new employer). “Legal fees, even for a brief round of injunction hearings, can run at least \$10,000 for each side,” cautions Schein.

Attorneys from a variety of states agree that the judge that hears the case influences the outcome. Amit says that in Florida, some judges are “pro-employee and some are pro-employer.” As there are no bright line rules, these agreements are so dangerous to sign.” In Texas, for example, non-compete agreements for physicians must contain a buy-out provision. This means the physician can buy-out his/her non-compete agreement for an agreed upon price.

Non-compete agreements are enforceable in every state but California. Also, the Colorado legislature amended its law on non-compete clauses to allow doctors to continue treating patients with rare diseases after they part with an employer. The bill became law in April 2018.

A physician’s specialty is an important fact of the case in some states. Amit says, “There is the issue of public safety.” Specializing in Zika research and treatment may influence the perception of a contract’s “reasonableness” in South Florida.

The American Medical Association's (AMA) guidance states doctors "should not enter into covenants that: (a) Unreasonably restrict the right of a physician to practice medicine for a specified period of time or in a specified geographic area on termination of a contractual relationship; and, (b) Do not make reasonable accommodation for patients' choice of physician." In fact, the AMA Code of Medical Ethics recommends that physicians avoid restrictive covenants whenever possible. Among its concerns are that they can limit access to care and disrupt care continuity.

Without a clear agreement and strong legal counsel, doctors could suffer significant financial losses as the result of a successful lawsuit. ■

Sources

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Medical group seeks to separate from Atrium Health in new lawsuit, Jenna Martin (April 2, 2018) - [Charlotte Business Journal](#)



Division of Pulmonary, Critical Care, and Sleep Medicine

The Northwell Health Division of Pulmonary, Critical Care and Sleep Medicine is seeking:

- BE/BC Intensivists
- BE/BC Pulmonologists
- BE/BC Pulmonologists with Critical Care training
- BE/BC Pulmonologists with Sleep Medicine training

These positions are across Long Island, Manhattan, Queens and Westchester areas.

Why Choose Us:

Northwell Health includes 23 award-winning hospitals and more than 550 community based practice locations throughout Long Island, Manhattan, Queens, Brooklyn, Staten Island, and Westchester. The Division of Pulmonary, Critical Care, and Sleep Medicine first opened its doors in the 1970s with one faculty member; it has grown to become a faculty of over 30 dedicated physicians in pulmonary, critical care medicine and sleep medicine. The Division offers comprehensive and individualized care for adult patients with a broad array of lung diseases, critical illness and sleep disorders. We have specialized centers for pulmonary hypertension and advanced lung disease, cystic fibrosis and bronchiectasis, asthma and sleep medicine. Our interventional pulmonary medicine physicians are using cutting edge technology for minimally invasive diagnosis and treatment of pulmonary disorders including lung cancer.

Opportunities:

All candidates will receive **competitive salaries**, a comprehensive **benefits package**, and **eligibility for tuition reimbursement**. Physicians will be employed as members of Northwell Physician Partners, the fifth largest medical group in the country. Academic Appointment to Donald and Barbara Zucker School of Medicine at Hofstra/Northwell is commensurate with credentials and experience.

For Further details and opportunities, please contact:
Physician Recruitment, Northwell Health, OPR@northwell.edu.

We will be attending the Chest Conference, Booth #107, we look forward to meeting you!

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The Department of Pediatrics at the Medical College of Wisconsin in Milwaukee is offering excellent opportunities to be a part of a collegial academic medical center and work in an established Children's Hospital ranked as one of the best in the US.

PEDIATRIC CARDIAC INTENSIVIST

The Critical Care Division provides clinical care at Children's Hospital of Wisconsin (CHW), a 306-bed free-standing, pediatric hospital providing comprehensive care for neonates, infants, children, and adolescents as well as adults with congenital diseases. CHW has 72 PICU beds (including 24 CICU beds), and over 4000 annual admissions that are cared for by a Division of 28 physicians, 18 critical care advanced practice providers and 12 critical care fellows. The cardiac unit clinical team includes 6 dedicated cardiac intensivists and 2 cardiac/critical care anesthesiologists leading 2 interdisciplinary rounding teams.

We are searching for 2 faculty positions, one to be the clinical director. Eligible candidates should have an MD (or equivalent) and be BC/BE in Pediatric Critical Care; candidates with additional fellowship training in pediatric cardiac critical care or dual boarded in Cardiology and Critical Care will be strongly considered as well as those with additional clinical experience/certifications.

For additional information, please contact:

Michael T. Meyer, MD – Chief, Division of Pediatric Critical Care
(414) 266-3360 / mtmeyer@mcw.edu

PEDIATRIC PULMONOLOGIST

The Division of Pulmonary and Sleep Medicine is committed to excellent patient care, teaching, and research. There is an accredited Cystic Fibrosis Center which provides comprehensive care for over 200 CF patients. There is an AASM-accredited Pediatric Sleep Disorders Center, including a state-of-the-art 8-bed sleep laboratory. There are active programs in asthma, technology-dependent children, apnea/BPD, bronchoscopy, and pulmonary function testing. We participate in multidisciplinary aerodigestive, neuromuscular disease, sickle cell, and craniofacial (cleft palate) programs. Our division has been consistently ranked among the top 20 programs by US News and World Report.

The successful candidate can have either a primarily clinical interest, or a research focus. Qualified candidates must have an MD or DO degree, have successfully completed a pediatric residency, and be BC/BE in pediatric pulmonology. Certification in sleep medicine would be a plus.

For additional information, please contact:

Lynn A. D'Andrea, MD – Chief, Division of Pediatric Pulmonary and Sleep Medicine
(414) 266-3730 / ldandrea@mcw.edu

The Medical College of Wisconsin (MCW) is one of the largest healthcare employers in Wisconsin. We are a distinguished leader and innovator in the education and development of the next generation of physicians, scientists, pharmacists and health professionals; we discover and translate new knowledge in the biomedical and health sciences; we provide cutting-edge, collaborative patient care of the highest quality; and we improve the health of the communities we serve.

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This dynamic group of four Pulmonary/Critical Care physicians provide office-based outpatient pulmonary and sleep medicine, hospital consultation, diagnostic bronchoscopy, navigational bronchoscopy, endobronchial ultrasound, and critical care services. Waukesha Memorial Hospital has a 24 bed and Oconomowoc Memorial Hospital has a ten bed multidisciplinary state of the art Intensive Care Unit with a highly skilled nursing team.

Waukesha, WI is a vibrant city within Waukesha County, which includes a population of almost 400,000. The region thrives in a year-round calendar of activities in arts and culture, professional and collegiate sports, and recreational activities. With easy access to major metropolitan cities, including Milwaukee and Chicago, this role provides a community practice setting with urban amenities close to home.

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For confidential consideration, please contact:

Pat Coplan, Physician Recruiter

Email: Patrick.Coplan@phci.org

Phone: 262-696-0424

Fax: 262-928-5835



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Pediatric Pulmonology Faculty Opportunities



Cincinnati Children's is Ranked #3 in Pediatric Lung Disease Care

Our Pediatric Pulmonology division is one of the largest and most highly-ranked treatment facilities in the nation, according to *US News & World Report* and *Parents* magazine. With more than 10,000 patient visits to diagnose and treat lung diseases per year.

We have assembled a team of experts from a range of specialties – our team of scientist and physicians work collaboratively to conduct innovative laboratory and clinical research. The team investigate the outcomes of treatments, study health care systems and train the next generation of investigators with one goal in mind: to provide the best possible evaluation and treatment of pediatric lung disease.

We invite highly motivated Pediatric Pulmonologist to join our dynamic and collaborative team. The successful candidate will demonstrate interest in and ability to lead the development of a comprehensive program designed to improve lung health for infants and children. Ambulatory and in-patient patient care, teaching medical students, residents and pediatric pulmonary fellows, and other academic activities round out this exciting opportunity in a large, pediatric academic teaching hospital.

The successful candidate will be an MD or DO, is Board Certified in Pediatrics and has the ability to be licensed in the State of Ohio. Completed Fellowship in Pediatric Pulmonology is required. Board certified in pediatrics board eligible/certified in pediatric pulmonology. Faculty rank will be commensurate with experience and qualifications.

Cincinnati Children's has ranked #2 in the nation among Honor Roll hospitals in *U.S. News and World Reports* 2018-2019 Best Children's Hospitals ranking.

Interested candidates should submit a curriculum vitae and cover letter to: Raouf S. Amin, MD, Director, Division of Pulmonary Medicine, Professor, University of Cincinnati Department of Pediatrics **C/O Deborah Mancini, Physician and Faculty Recruitment** Deborah.Mancini@cchmc.org.

Cincinnati Children's "CCHMC" is an Affirmative Action/ Equal Opportunity Employer.

Pediatric Pulmonologist Randall Children's Hospital Portland Oregon



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We are seeking a BE/BC pediatric pulmonologist to join our rapidly expanding pediatric lung and sleep program. The ideal candidate will be someone who enjoys managing the full spectrum of pediatric pulmonology including the clinical management of infants, children and adolescents with asthma, chronic lung disease and home technology needs. Additional opportunities to participate in multi-disciplinary management of patients with sleep related disorders are available. The level of participation may be tailored to provider's interests.

For decades Randall Children's Hospital has been a regional leader in providing excellent care to infants, children and teens in Portland and the Pacific Northwest and is one of Oregon's largest providers of high acuity pediatric inpatient and trauma services. Randall Children's Hospital medical staff is made up of more than 600 physicians, including pediatric medical and surgical specialists, hospitalists and community pediatricians. Randall Children's Hospital receives nearly 150,000 patient visits per year. The Children's Emergency Department is Oregon's busiest, with more than 27,000 visits annually. We have a very robust 24-7 pediatric hospitalist program as well as pediatric critical care coverage is provided by 24/7 in-house pediatric Intensivists in the ICU. We are the only children's pediatric level 1 trauma facility in Oregon. Randall Children's Hospital is a teaching facility for medical students and residents.

The ideal candidate will be Board Certified/Eligible in Pediatric Pulmonology, possess strong clinical and teaching skills and must be able to obtain an Oregon Medical License.

Portland is a city that continually ranks in the top five for livability and includes both urban and family-friendly communities. Approximately 17,000 people bike to work year-around on 350 miles of bikeways making Portland the number one city in the U.S. for biking. Portland has a wide array of nationally recognized parks for hiking and off-road biking. Portland is a sophisticated city offering diverse cultural activities including a wide range of theater, musicals and museums open throughout the year. In the spring and summer months, Portlanders gather on the waterfront for concerts and fun activities. If your desire is to step out of the city, take a hike in the spectacular Columbia River Gorge, hit the slopes of Mt. Hood or catch a wave off the Oregon Coast – all a short drive from Portland.

As we consider qualified candidates, we are committed to building a culture that values diversity and is reflective of those we care for. Legacy was selected as one of the top 50 medium size companies to work for by Forbes Magazine. Recently Randall Children's Hospital and Legacy Health were selected as one of the top ten most admired companies in Oregon by the Portland Business Journal for 2017. We are a full member of Solutions for Patient Safety (SPS) and embrace a journey toward zero harm.

Please visit our website www.legacyhealth.org for an application. Please apply for position number 17-4037. You can attach a CV to the application. For additional information on this position, please contact Vicki Owen at 503 415-5403 or vowen@lhs.org. AA/EOE/Veterans/disabilities.



The Department of Pediatrics, Division of Pulmonary Medicine at Penn State Health, Hershey PA, is seeking two additional, BE/BC Pediatric Pulmonologists (one Pediatric Sleep/Pulmonologist and one Pediatric Pulmonologist) to join our team.

What We're Offering:

- Competitive salary and benefits
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- A sleep program that has a 16 bed sleep lab that we share with adult medicine with 4+ pediatric beds
- Research effort, if needed

What We're Seeking:

- MD, DO, or foreign equivalent
- BC/BE Pediatric Pulmonology (and Pediatric Sleep for Pediatric Sleep/Pulmonology position)

For more information please contact:

Patty Shipton, FASPR, Physician Recruiter
pshipton@pennstatehealth.psu.edu

The Division of Pulmonary Medicine at Penn State Health, Hershey PA, is seeking an experienced, BE/BC Pulmonology Critical Care physician to join our growing team

What We're Offering:

- Competitive salary and benefits commensurate with experience
- Networking opportunities among highly qualified friendly colleagues
- Relocation assistance
- CME allowance
- Penn State University tuition discount for employees and dependents

What We're Seeking:

- Experienced leaders with a passion to inspire a team
- MD, DO, or foreign equivalent
- Completion of accredited Pulmonary training
- Completion of accredited Critical Care Fellowship
- BC/BE Internal Medicine – Pulmonary
- Ability to work collaboratively within diverse academic and clinical environments

For more information please contact:

Heather Peffley, PHR, FASPR, Physician Recruiter
hpeffley@pennstatehealth.psu.edu



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Pulmonology/CC physicians BE/BC

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- Employed by Beebe Medical Group, a multi-specialty hospital physician network
- Competitive salary with incentives and generous benefits package

About Beebe Healthcare BeebeHealthcare.org

- Progressive, high quality care, and patient satisfaction
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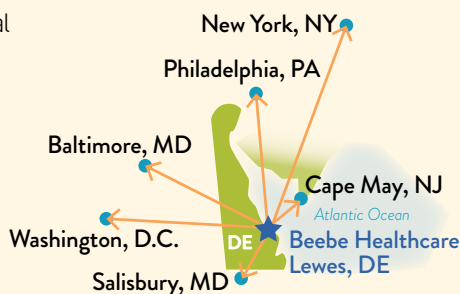
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