



CLIENT MEMORANDUM

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Client: Wisconsin Hospital Association, Inc. (096653)

Subject: Training of Hospital Emergency Department Contract Staff

This memorandum provides sample contract language to obligate a staffing agency that furnishes health care providers to hospital emergency departments to train those providers to take appropriate actions during a mass casualty/bioterrorism event. In general, hospitals contractually obligate such agencies to either: (1) train the providers to abide by the hospital's existing emergency services plan (that the hospital provides to the agency); or (2) provide training based on another mass casualty/bioterrorism standard. Each option is described below.

1. Contractually Require the Agency to Ensure Health Care Providers Comply with Hospital Policies and Procedures. Most services agreements require agency providers to comply with all hospital policies and procedures. The emergency services plan is a hospital procedure; therefore, no additional language

may be required from a legal perspective. However, to ensure compliance, the hospital may want to list the emergency services plan in the agreement as follows:

"Agency shall ensure that all health care providers furnishing services to hospital know and abide by all hospital policies and procedures, including, but not limited to, hospital's emergency services plan."

The hospital must provide a copy of the emergency services plan (and other relevant policies and procedures) to the agency for training purposes.

2. Contractually Require the Agency to Provide Training.

Alternatively, the services agreement between the hospital and an agency may specifically obligate the agency to provide mass casualty/bioterrorism training to its providers. To create this obligation, the hospital must determine the specific training that the agency must provide. For example, the hospital may require that providers complete Hospital Emergency Incident Command System or general emergency response training. In this case, the agreement may state the following:

"Agency shall ensure that any health care provider furnishing services to hospital has received initial and annual training on emergency response procedures, in accordance with the guidelines provided by the [Health Resources Services Administration and the Wisconsin Division of Health]."