

USF System USF USFSP USFSM

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(1) Basic Policy. The University of South Florida System (“University”) Health Sciences Center (“USF Health”) provides educationally oriented clinical practice settings and opportunities, through which University faculty members provide medical, nursing, physical therapy, pharmacy and other professional health care and treatment to patients, including patients at independent hospitals, other institutions, and various other clinical sites as an integral part of their academic activities and their employment as University faculty. Such University faculty practice activities are designed to assure clinical practice opportunities and experiences that are essential in the training of students and postgraduate health professionals and that will enhance skills and knowledge of faculty members who must teach and train medical and other health professional students. Participation in such faculty practice activities by members of the University’s faculty in medicine, nursing, public health, physical therapy, pharmacy and other health professions is vital to the University’s educational and service mission; the maintenance of skills in the diagnosis, treatment and prevention of disease; and the maintenance of patient management skills, clinical expertise, and medical judgment; and is a necessary and essential part of their employment as University faculty. Because these University faculty practice activities generate income from a cross section of patients served by University faculty members that is critical to support the USF Health missions, the University is authorized to regulate fees and other income generated from University faculty practice, and to develop and maintain a Faculty Practice Plan for the orderly collection, administration and distribution of such income on behalf of the University.

In order to achieve the objectives of the USF Health Faculty Practice Plan, the University has authorized the formation and operation of a Florida not-for-profit corporation, University Medical

Service Association, Inc. (“UMSA”) as the University’s agent for the orderly collection and administration of income generated from University faculty practice. UMSA is certified as a University direct-support organization pursuant to [Section 1004.28, Florida Statutes](#) and [USF Regulation 13.002](#), and is a State instrumentality controlled by University and organized and operated exclusively to receive, hold, invest, and administer property and to make expenditures to and for the benefit of University. The USF Health Faculty Practice Plan and subsequent changes therein shall be described in documentation which must be approved by the Vice President for Health Sciences and the President of the University prior to submission for approval by the University Board of Trustees. The USF Health Faculty Practice Plan must be consistent with, and supportive of, the objectives and mission of USF Health and the University.

(2) The USF Health Faculty Practice Plan shall include and/or provide for:

- (a) A written document which describes the University’s policies and procedures pertaining to faculty practices activities and the resulting professional fees and other income.
- (b) Articles of Incorporation and Bylaws of UMSA.
- (c) The requirement that UMSA take all necessary actions to comply with all applicable laws, regulations and policies to maintain its certified status as a University direct-support organization.
- (d) A separate bank account into which all income generated from University faculty practice is to be deposited, which shall be held, administered and distributed by UMSA acting as the University’s agent under right of control by the University.
- (e) An operating budget prepared at least annually and recommended by the Senior Vice President for Health Sciences and the President of the University to the University Board of Trustees for review and approval.
- (f) An annual audit and management letter, which shall be submitted to the University Board of Trustees for review and oversight.

- (g) UMSA shall at all times comply with the regulations, policies and procedures of the University which are applicable to UMSA.
- (h) UMSA's CEO shall serve at the pleasure and direction of the Senior Vice President for Health Sciences and President of the University, and shall report to the Senior Vice President for Health Sciences with respect to the day-to-day activities and operations of UMSA.
- (i) University shall have the right to inspect and audit the book and records of UMSA which must be made available to University upon request.
- (j) UMSA shall not determine the amount of wages or salary of University's faculty members which is solely under the control and direction of University. Any payments made by UMSA to University or University's faculty members shall be at the determination and direction of University, and are not made for services to or for UMSA but are made solely for the support of employment of University's faculty members by University. UMSA does not and shall not be deemed or construed to have a partnership, joint venture, association, employment or agency relationship with any members of University's faculty or other health professionals employed by University.
- (k) The University Board of Trustees is vicariously responsible for acts of members of the University's faculty and other University employees and agents while acting within the scope of her, his or its employment or function, in accordance with Florida law, including [Section 768.28, Florida Statutes](#). The University Board of Trustees and UMSA are protected for professional liability claims by the University of South Florida Health Sciences Center Self-Insurance Program created pursuant to [Section 1004.24, Florida Statutes](#).

Authority: Art. IX, Sec. 7. Fla. Constitution, Board of Governors Regulations 1.001, 9.017.

History – New (BOT approval) 11-10-05. (Reviewed 10-5-09, 11-8-12). Amended 7-16-15 (technical).