Launching from Fellowship: Pearls for Thriving as New Allergists

Fundamental Principles of Contract Negotiations

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Atlanta Allergy & Asthma
Past President, ACAAI, 2011-12

- Employment contract basics
- Negotiation principles
- Types of practice
- FIT salary survey
EMPLOYMENT AGREEMENT

- THIS EMPLOYMENT AGREEMENT (this “Agreement”) is made as of __________, 2020 (the “Effective Date”), by and between Atlanta Allergy & Asthma Clinic, P.A., a Georgia professional association, (“Employer”), and __________________, M.D. (“Physician”). Employer and Physician are collectively referred to herein as the “Parties” and each, individually as a “Party.” Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in Section 7.

- WHEREAS, Employer and Physician mutually desire to enter into an agreement containing the terms and conditions pursuant to which Employer will employ Physician.

- WHEREAS, this Agreement shall replace and supersede in its entirety any existing employment agreement or compensation arrangement (as amended, restated or supplemented from time to time, the “Terminating Compensation Arrangement”), by and between Employer and Physician.

- NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties to this Agreement hereby agree as follows:

"The most intimidating thing I had to do during my residency and fellowship training had nothing to do with patient care. It was negotiating my first employment contract,"

Process steps:

- Start with an understanding.
- Break it down – keep initial terms simple.
- Be prepared for compromises.
- Prioritize your key objectives.
- Come prepared with research.
- Don’t let emotions get in the way of a win-win outcome.
- Take a positive approach.
- Don’t rush the process.

Letter of Intent

- Also known as an ‘offer letter’
- Shorter than the employment contract.
- Key provisions:
  - Salary, job obligations and termination provisions.
- Must be taken seriously –
  - Send copy of LOI to your attorney before commenting.
Employment Contract

- Contract can be 30 + pages long
- Read each it sentence by sentence (3x)
- Make list of troublesome provisions
- Be sure to address:
  - Work schedule (PTO)
  - Base salary
  - Fringe benefits (signing bonus, funding for CME, Health Insurance etc)
  - Tail coverage for malpractice insurance
  - Productivity bonuses
  - Termination provisions
  - Restrictive covenant

More Contract considerations

- Base salary
- Productivity targets
  - May be based on RVU or collections
- Job duties
  - Specify hours worked.
  - Other professional activities permitted.
- Restrictive Covenant (non-compete clause)
  - Laws vary by states
  - Most employers won’t negotiate this.
- Partnership track
Principles of Negotiation

• Will employers negotiate?
  • Most permit a limited number of changes
  • Some esp larger organizations, insist on a standard contract.

• How to prepare for successful negotiations:
  • Screen out problem employers
  • Have an advocate in the organization
  • Bring up unusual requests early on.
  • Take letter of intent seriously
  • HIRE AN ATTORNEY

Principles of Negotiation, 101

• Giving ‘ultimatums’ is not negotiating!
• Make sure you’re likeable and recognize who it is you’re talking with.
• Clearly justify why you deserve what you’re requesting.
• Be mindful of any constraints
• Focus on the bigger picture.
• Avoid negotiating for the sake of it.
• Never forget what has been discussed.
Principles of Negotiation, 102

• Consider the total compensation package.
• Benchmark
• Use the ‘3 numbers’ method for cutoffs:
  • Large
  • Fair
  • ‘Walk away’

• Avoid being arrogant.
• Show your best poker face.

Salary Survey
2020 Allergist/immunologist compensation data yields surprising results

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*Medscape survey data for each year was reported in the following year. For example, the 2020

2020 Allergist/immunologist compensation data yields surprising results

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<th>2020 MGMA PROVIDER PLACEMENT STARTING SALARY SURVEY</th>
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<td># Reporting</td>
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Source: 2021 MGMA DataDive Provider Compensation, based on 2020 survey data. Used with permission from MGMA Copyright 2021. https://www.mgma.com/data. Data is protected by MGMA copyright and is prohibited to be shared or re-published without MGMA's consent.
Important Factors When Choosing a Job

• What do you want?
• What is best for your family?
• Main criteria for choosing a practice:
  • Geographic location  65%
  • Spouse/family  49%
  • Compensation  43%
• Remember, you are fortunate to have chosen allergy – 82% of your peers would enthusiastically recommend it.
Examining Variability Across Distinct Forms of Business Practice

Desha Jordan MD, FAAP
Assistant Professor of Pediatrics
Division of Allergy-Immunology

Learning Objectives

• Introduction
• Outline the 4 Major Business Organization Forms
• Outline pros and cons of:
  – Private Practice
  – Academic
  – Patient population (Pediatric Vs Adult)
  – Partner Track
  – Employee or salaried
Introduction

- My Background
  - Pediatric Residency
  - General Pediatrics (Hospitalist and Outpatient)
  - Allergy-Immunology Fellowship
  - Private Practice Allergy-Immunology (employee)
  - Pediatric Academic Allergy-Immunology

4 Major Business Organization Forms

- Sole proprietorship
- Partnership
- Corporation
- Limited Liability Company or LLC

https://www.sba.gov/business-guide
Sole Proprietorship

- The simplest and most common form of business ownership.
- A business owned and run by someone for their own benefit.
- The business’ existence is entirely dependent on the owner’s decisions, so when the owner dies, so does the business.

https://www.sba.gov/business-guide

Sole Proprietorship

- **Advantages of sole proprietorship:**
  - All profits are subject to the owner
  - There is very little regulation for proprietorships
  - Owners have total flexibility when running the business
  - Very few requirements for starting
    » often only a business license

https://www.sba.gov/business-guide
Sole Proprietorship

- **Disadvantages:**
  - Owner is 100% liable for business debts
  - Equity is limited to the owner’s personal resources
  - Ownership of proprietorship is difficult to transfer
  - No distinction between personal and business income

https://www.sba.gov/business-guide

Partnership

- These come in two types: general and limited.
- In general partnerships, both owners invest their money, property, labor, etc. to the business and are both 100% liable for business debts.
- Even if you invest a little into a general partnership, you are still potentially responsible for all its debt.
- General partnerships do not require a formal agreement
- Partnerships can be verbal or even implied between the two business owners.

https://www.sba.gov/business-guide
Partnership

- Limited partnerships require a formal agreement between the partners.
- They must also file a certificate of partnership with the state.
- Limited partnerships allow partners to limit their own liability for business debts according to their portion of ownership or investment.

https://www.sba.gov/business-guide

Partnership

- **Advantages of partnerships:**
  - Shared resources provides more capital for the business
  - Each partner shares the total profits of the company
  - Similar flexibility and simple design of a proprietorship
  - Inexpensive to establish a business partnership, formal or informal

https://www.sba.gov/business-guide
**Partnership**

- **Disadvantages:**
  - Each partner is 100% responsible for debts and losses
  - Selling the business is difficult
  - Requires finding new partner
  - Partnership ends when any partner decides to end it

https://www.sba.gov/business-guide

**Corporation**

- Corporations are, for tax purposes, separate entities and are considered a legal person.
- This means the profits generated by a corporation are taxed as the “personal income” of the company.
- Any income distributed to the shareholders as dividends or profits are taxed again as the personal income of the owners.

https://www.sba.gov/business-guide
Corporation

• Advantages of a corporation:
  • Limits liability of the owner to debts or losses
  • Profits and losses belong to the corporation
  • Can be transferred to new owners fairly easily
  • Personal assets cannot be seized to pay for business debts

https://www.sba.gov/business-guide

Corporation

• Disadvantages:
  • Corporate operations are costly
  • Establishing a corporation is costly
  • Start a corporate business requires complex paperwork
  • Corporate income is typically taxed twice

https://www.sba.gov/business-guide
Limited Liability Company (LLC)

- Similar to a limited partnership, an LLC provides owners with limited liability while providing some of the income advantages of a partnership.
- Essentially, the advantages of partnerships and corporations are combined in an LLC, mitigating some of the disadvantages of each.

https://www.sba.gov/business-guide

Limited Liability Company (LLC)

- **Advantages of an LLC:**
  - Limits liability to the company owners for debts or losses
  - The profits of the LLC are shared by the owners without double-taxation

https://www.sba.gov/business-guide
Limited Liability Company (LLC)

- **Disadvantages:**
  - Ownership is limited by certain state laws
  - Agreements must be comprehensive and complex
  - Beginning an LLC has high costs due to legal and filing fees

https://www.sba.gov/business-guide

INFORMATION OVERLOAD

UH-OH!
Private Practice

• Pros
  - Autonomy
  - Potential for increasing revenue
  - Benefits
  - Can still do research
  - Can still mentor and have learners rotate

• Cons
  - May have to work harder to stay up to date
  - More administration and business
  - More responsibility

Academic Positions

• Pros
  - Easier to stay current and up to date
  - Coverage for CME and vacations
  - Benefits
  - Research
  - Mentorship
  - Easier to do education for any level (medical student, resident, fellow, colleagues)

• Cons
  - Typically harder call schedule
  - Consults
  - Required teaching
  - Required RVU
  - Harder to increase salary
  - Requirements for promotion
  - Defined timeline for promotions
  - Research requirements
Patient Population

- What kind of patient population would you like to see?
- Does it matter to you
- Pediatric Vs Adult Vs Mixture
- Does variety in patient socioeconomic background or culture matter to you?

Partner Track

- Pros
  - Defined expectations and requirements for advancement
  - Know timeline to partnership
  - Invested in group since you will be share holder in company

- Cons
  - May have to take substantial pay cut when working up to partnership or pay into partnership
  - May have lack of autonomy to conform with group standard
Employee or Salaried Position

- **Pros**
  - Less Responsibility
  - Benefits
  - Defined requirement for promotion or salary increase

- **Cons**
  - May not be able to increase salary past a certain defined point
  - Lack of autonomy
  - Requirements (RUV, research, publications, teaching)

*Too much information.*
Take Away Points

- Go with what works for you and not what everyone else is doing.
- It’s never too late to change courses.
- If something doesn’t feel right, it’s okay to do something else that fits you and your goals much better.
Questions

Question 1

- Mary just graduated from Allergy-Immunology Fellowship.
- In medical school, her favorite rotation was pediatrics, and she hated her Internal Medicine rotation.
- In residency, she loved teaching medical students and was chosen to be chief resident.
- She enjoys clinical research and wants to make this a major part of her career.
Question 1

• Which job fits Mary best?

• A. Private Practice
• B. Academic Position at Children’s Hospital
• C. Undergraduate Biology Professor
• D. Medical liaison for drug company
• E. Actress
Question 2

• Parker is about to graduate from Allergy-Immunology Fellowship.
• In medical school, her favorite rotation was Family Medicine rotation.
• In residency, she did not particularly enjoy research but did like teaching medical students.
• She loves spending time with family and friends and often takes weekend get away trips.

Question 2

• Which job fits Parker best?

• A. Private Practice that has medical students shadow from time to time
• B. Academic Position at Hospital
• C. Undergraduate Biology Professor
• D. Medical liaison for drug company
• E. Singer
Question 2

• Which job fits Parker best?
• **A. Private Practice that has medical student’s shadow from time to time**
• B. Academic Position at Hospital-may have research requirement
• C. Undergraduate Biology Professor-no clinical
• D. Medical liaison for drug company-no direct patient interaction
• E. Singer

Questions
ACAAI Engagement as Part of One’s Professional Identity

KARLA ADAMS, MD, FACAAI, FAAP
ASSOCIATE PROFESSOR OF PEDIATRICS
UNIFORMED SERVICES UNIVERSITY

Objectives

1. Review what constitutes professional identity and how it may prevent physician burnout
2. Break down ACAAI governance
3. Discuss how to get involved and stay involved in the College
How do you introduce yourself at parties?

- I am an Allergist in the Air Force and mom to 3 kids. I grew up in Washington, DC but have called Texas home for the last 15 years. I enjoy cooking and hanging out with my family.
Professional Identity

- Physician identity defined as “a **representation of self**, achieved in stages over time during which the **characteristics, values, and norms** of the medical profession are **internalized**, resulting in an individual thinking, acting, and feeling like a physician”* 
- Physicians tend to merge their professional identity with their own sense of self and value in the world 
  - Medicine as a calling 
  - Most of us have spent much (12+ years) of our formative years in pursuit of this calling


Physician Burnout

- Causes are multifactorial 
  - Lack of control (e.g. schedules, productivity targets) 
  - Increased automation 
  - “Providers” 
  - Transactional practice of medicine 
  - EMRs 
- End result 
  - Dehumanizing effect on medical practice → Loss of professional identity → Physician burnout
The Why

• Maintaining one’s professional identity is essential to preventing burnout
  • Fosters the human connection
  • Builds resilience
  • Helps to nurture why you went into medicine in the first place
    • Love of knowledge
    • Using knowledge to improve the health of our patients

Professional Organization Involvement Benefits

• **Service**
  • Active participation in ACAAI committee work to move forward important initiatives

• **Networking** with experts in the field

• **Achievement of short- and long-term goals**
  • Academic medicine
    • ACGME accredited programs require participation in national organizations
    • Working groups, ability to collaborate across committees to establish policy/guidelines, present at meetings and publish

• **Leadership** opportunities
  • Member, Vice Chair, Chair, Board Member, Officer
Professional Organization Involvement Benefits

- **Mentorship** - opportunity to be mentored and to mentor others
  - Prepping the bench

- **Advocacy**
  - Occurs at all levels

- Earn experience in **project management and execution**
  - Working in diverse teams with a common goal

- **You are the end-user!**
Increasing Involvement on College Committees

- More members involved in committee work.
- Young members and women stepping up to serve.

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<tr>
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<td>42%</td>
<td>46%</td>
<td>54%</td>
<td>45%</td>
<td>58%</td>
<td>51%</td>
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<tr>
<td>New to College (Joined within last 10 years)</td>
<td>38%</td>
<td>42%</td>
<td>45%</td>
<td>46%</td>
<td>57%</td>
<td>54%</td>
<td>52%</td>
<td>48%</td>
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*Percentages exclude volunteers with missing data.
Committee Involvement FAQs

- **Can FITs join ACAAI committees?**
  - The Appointments Committee always looks to place at least one FIT on every committee (sometimes more than one)

- **When can FITs apply to join committees?**
  - Same time as other members, March 1 – April 15
  - Application is posted on the member website (college.acaai.org) during that time period (there will be a link on the home page) and promoted via College Insider
  - FITs can also reach out to Kate Barcal katerinabarcal@accai.org with questions

- **When do notifications of committee selections go out?**
  - Early to mid August

- **How long are membership terms?**
  - Two years

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So you decided to join a committee...Now what?

- **Now...**
  - What are you interested in?
  - What is your previous experience?
  - Ask your friends, mentors or committee members about their experiences and recommendations
  - Browse through the Committee Directory on the member website
  - Consider sitting in on a committee meeting during the Annual Scientific Meeting (contact the staff liaison to make sure it’s an open meeting)
  - Be on the look out for emails in Spring 2022 (March through early April) that detail the application process (or check on ACAAI member website homepage in March)
So you decided to join a committee...Now what?

• **Spring**
  • Submit your online application by April 15
  • Can apply for up to 3 committees at one time
  • Can indicate interest in committee leadership (any active member can join a committee, need Fellow status to Chair a committee)

• **Summer**
  • Accept your committee appointment ($) – notifications sent in August
  • Register for new member orientation (webinar)

• **Fall**
  • Attend new member webinar (typically in October)
  • Attend committee meeting (varies by committee but typically at least quarterly)
Other ways to get involved

- Participate in DocMatter discussions
- Apply for the College Leadership Summit (graduating FITs)
  - Members in practice 10 years or less
  - Twenty selected every year; > 100 participated to date
  - More than 30% of past participants serve in leadership roles; five currently serve on the College’s Board of Regents
  - Applications for 2022 Summit start in December
- Attend the Annual Scientific Meeting

Takeaways

1. ACAAI committee involvement is enriching for you, our patients and our specialty
2. Don’t miss the opportunity to sign up for committees- Be on the lookout for applications in the Spring
3. Expand your horizons, try a committee that is out of your comfort zone!
Questions?

• Contact:
  • karla.e.adams2.mil@mail.mil
  • karla.adams@hotmail.com
Annals and FIT Involvement

Mitchell Grayson, MD
Editor-in-Chief-Elect
Annals of Allergy, Asthma & Immunology

Why Publish In Annals?

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  • Something for everyone
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Annals FIT Program

• Cash award for the best 3 original articles and best 3 review articles published in *Annals* by an FIT* in the calendar year
  • $2,500 first place award
  • $1,500 second place award
  • $1,000 third place award
• But to be able to win you have to write, submit, and publish in *Annals*!

*FIT must be the first or senior author on the manuscript

Questions

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