

**NATIONAL ASSOCIATION OF LOCUM TENENS ORGANIZATIONS
BEST PRACTICE GUIDELINES FOR PROFESSIONAL CONDUCT**

I. PREAMBLE

The National Association of Locum Tenens Organizations (“NALTO”) recognizes all individuals and organizations who provide physician locum tenens services as professionals. NALTO stresses honesty, objectivity, integrity, and competency. Members of NALTO strive to conduct business so that their actions reflect positively on the profession. These Best Practice Guidelines for Professional Conduct (“Guidelines”) provide suggested parameters of behavior for all individuals affected by the industry, including Members, Candidates, Clients and all other Locum Tenens Companies.

II. DEFINITIONS

For purposes of these Guidelines, the following are definitions of persons and entities involved in the physician locum tenens process:

- A. Candidate – A physician who provides personal medical services and contacts a Member in pursuit of a locum tenens assignment, or individual who provides personal medical services and is contacted by a Member for the purposes of filling a locum tenens assignment.
- B. Client – A person or organization that utilizes locum tenens services and with which a Member has a contract to recruit candidates.
- C. Locum Tenens Company – An organization, company, firm or individual that facilitates the filling of locum tenens assignments, including but not limited to a Member.
- D. Potential Client – Any individual or organization to which a Member represents its services and with which a Member does not have a contract to recruit candidates.
- E. Member – An organization, firm, or individual that has the rights and privileges of membership pursuant to NALTO’s Articles of Incorporation or Bylaws.
- F. Contract – A legally binding written or verbal agreement setting forth the terms and conditions between a Locum Tenens Company and a client or a candidate.

III. RESPONSIBILITIES OF ENTITIES

- A. A Locum Tenens Company should:
 - 1. Execute contracts with candidates only as independent contractors and report this revenue on all required federal, state, and local tax filings and forms, including the IRS Form 1099. Locum Tenens Companies should

never enter into a contract whereby the candidate is or could be construed as an employee of the Locum Tenens Company.

2. Procure professional liability insurance and extend the coverage to candidates.
3. Possess a signed written contract from client which clearly states all conditions under which a fee may be incurred before submitting a curriculum vitae for the client's consideration (excepting government contracts).
4. Present a candidate only after receiving permission from the candidate for each specific assignment, and submit the curriculum vitae of a candidate only with permission from the client.
5. At a minimum, disclose the following information to a candidate when requesting permission to present such candidate to a client:
 - a. The name of the client.
 - b. The name of the facility and the location of the worksite.
 - c. The time frame of assignment.
 - d. The clinical requirements.
6. Verbally present a candidate to a client only if followed within one business day by delivery of the candidate's curriculum vitae.
7. Promptly advise clients if the original search objective cannot be accomplished.
8. Present all information to both candidates and clients fully and fairly in order to allow comprehensive evaluation by each party.
9. Attempt to amicably resolve any disputes between themselves and other Locum Tenens Companies with minimal involvement of the client or candidate.
10. Accept assignments only where the Locum Tenens Company has a reasonable belief that it can fulfill the assignment. Assignments beyond the scope or capability of the Locum Tenens Company should not be accepted.
11. Honor all contracts.

12. Maintain regular contact with a candidate to keep the candidate reasonably apprised of the efforts of the Locum Tenens Company.
13. Never provide medical supervision over a candidate or his/her patients.
14. Honor all state, federal and local laws.

B. Clients should:

1. Maintain accurate records of candidate referrals, including times, dates, and the identity of the referring Locum Tenens Company.
2. Require complete candidate information when accepting a referral.
3. Consider a valid referral to have occurred only when:
 - a. The client receives the candidate's curriculum vitae;
 - b. The Locum Tenens Company fully apprises the candidate of the position when requesting permission to present;
 - c. The credentialing information has been furnished, if required or requested; and
 - d. A telephone interview has been arranged, if required or requested.
4. Refrain from recognizing the submission of nothing more than a name and a phone number of a candidate as a bona fide referral.
5. Refuse a referral that would knowingly violate a pre-existing contract with another Locum Tenens Company.
6. Thoroughly discuss excluded candidates before the initiation of the search.
7. Honor all contracts.
8. Keep the Locum Tenens Company apprised of issues relevant to the search.
9. Respond in a timely manner to a Locum Tenens Company with respect to a suitable candidate.

C. Candidates should:

1. Provide references and credentials that are complete and accurate.
2. Upon request, provide data from the National Practitioner Data Bank.
3. Acknowledge whether he/she has already been presented to a client for the same or a similar opportunity.
4. Be prepared to acknowledge which Locum Tenens Company referred him/her to a position, including who presented the assignment and assisted making the placement with the client.
5. Be prepared to give timely and complete feedback on referrals to both the client and the Locum Tenens Company.
6. Require that Locum Tenens Companies present accurate and complete information regarding practice opportunities.
7. Respond in a timely manner to calls from Locum Tenens Companies.

D. Specific Unacceptable Practices for Locum Tenens Companies

1. Pursuant to standards set forth above, below is a non-exhaustive list of examples of unacceptable business practices by a Locum Tenens Company:
 - a. Claiming procuring cause of an unscreened candidate whose name appears on mailing lists or in data banks.
 - b. Claiming proprietary valid referral of a candidate who has not yet agreed to be presented to the client.
 - c. Misrepresentation of a client opportunity.
 - d. Misrepresentation of candidate's skills or abilities,
 - e. Sending/faxing unsolicited curriculum vitae.
 - f. If a Locum Tenens Company is not the procuring cause of a candidate's decision to accept an assignment with a client, then

the Locum Tenens Company should not claim a fee, unless specific contractual agreements otherwise exist.

- g. Unilaterally sending a candidate's curriculum vitae for "future consideration" when a client does not have a current job opening.

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