

**Date: February 2, 2018**

**To: Members of the University of Utah Faculty Senate**

**From: Wyatt R. Hume, Dean, School of Dentistry and  
Associate Vice President for Academic Affairs & Education**

**Re: Revision to Policy 5-204**

The purpose of this memorandum is to request approval to move forward with revisions to *University Policy 5-204, Section J: Full-time Medical Faculty Consultations* in order to align the School of Dentistry with the School of Medicine in disallowing full-time University of Utah faculty clinicians to engage in private practice in an individual capacity. The proposed revision to Policy 5-204, Section J, is shown below on page three of this memorandum.

The School of Dentistry was established in 2013 and, during its first few years, Policy 5-204 was interpreted as permitting dental faculty employed full-time at the University to spend one full day per week in their private practice. Several dental faculty members thus are paid a guaranteed salary based on 1.0 FTE while simultaneously generating private clinical income one day per week.

Policy 5-204 Section J disallows full-time faculty in the School of Medicine from engaging in private practice or consultation *except in conformity with the Medical Practice Plan*. The Medical Practice Plan outlines the policies and procedures related to the distribution of clinical income to faculty members and states that all clinical activities of faculty members, with the exception of clinical income earned during vacation away from the University, is considered to be within the scope of employment at the University, regardless of the location where the services are rendered.

The School of Dentistry proposes that Policy 5-204, Section J, be revised to disallow full-time dental faculty from engaging in private practice *except as approved by the senior vice president for health sciences*. Given the School of Dentistry's relatively early stage of development, it does not yet have a formal practice plan. However, there are several practice models supported by the Dean, under which dental faculty currently do engage in faculty practice at the School of Dentistry. The proposed revision to Policy 5-204 Section J would not prohibit dental faculty from engaging in faculty practice models that are in place now and that are later established. It is the intent of the School of Dentistry to develop a more formal faculty practice structure as it matures.

Policy 5-204 allows for University of Utah faculty to provide expertise to the community on an individual basis and not on the University's behalf. It is understood that consulting work may serve as an important means in which faculty enhance their professional development and opportunities for collaboration. It is not the intent of the School of Dentistry to prohibit its faculty from engaging in these types of consulting arrangements; rather, this revision would prevent full-time employed clinicians in the School from directly competing with University of Utah Health and would align the School of Dentistry with the School of Medicine.

To avoid disadvantaging faculty who accepted their current position in good faith, the School of Dentistry will take steps to avoid causing harm and to minimize the impact to faculty as a result of the proposed revision to Policy 5-204. Effective July 1, 2018, the School will increase the annualized base salary of affected faculty members by 35.135% and, at the same time, decrease their FTE by 26%, from 1.0 FTE to .74 FTE. University employees with an FTE of .75 or greater are considered full-time; with this reduction in FTE, affected faculty will be considered part-time. The net effect to total annual guaranteed compensation and associated benefits is zero, as shown in the sample below:

____, DDS	Current	Proposed
Guaranteed Annualized Base Salary	\$104,000	\$140,540
FTE Appointment	1.00	0.74
Annual Guaranteed Compensation	\$104,000	\$104,000

The amount of salary upon which retirement benefits are calculated would remain unchanged. Faculty members with appointments of .50 FTE or greater receive the same medical/dental insurance benefits as full-time faculty; therefore the faculty member's benefits package would be unaffected. Impacted faculty who reduce their FTE will be provided paid administrative leave by the Dean of the SOD to offset the reduced number of days accrued for vacation, sick, and funeral leave that result from a reduction in their FTE.

The University offers 50% tuition reduction for full-time employees; therefore, faculty who accept a reduction in FTE to .74 would no longer be eligible for this benefit. To avoid disadvantaging affected faculty who wish to continue their private practice and who intend to take advantage of the tuition reduction, the School of Dentistry will seek a limited exemption from the senior vice president of health sciences to decrease their FTE by 25%, from 1.0 FTE to .75 FTE, thus allowing these faculty to maintain full-time status as required for the tuition discount.

The School of Dentistry has reviewed the proposed revision to Policy 5-204 and the proposed adjustments to faculty salary and FTE with General Counsel, Human Resources, and the Office of Academic Affairs and Faculty Development. There are no concerns with the proposed revision and associated adjustments, and the School has been advised that it may proceed with its proposal.

Dean Wyatt R. Hume, Dean of the School of Dentistry, has introduced the proposed policy revision to faculty at the School's Executive Committee and All-Faculty meetings and has met individually with those faculty who would be affected by the change. A written draft of the contract letter that would be delivered to affected faculty, in the event the revision is approved, has been reviewed by General Counsel and Human Resources and shared with affected faculty. It is the opinion of the Dean that the proposed change has been well received by affected faculty. The revision is seen as a necessary and fair adjustment. Faculty affected by this proposed change have expressed appreciation that they will not be disadvantaged if the policy revision is approved. In addition, the Dean has polled the faculty-at-large having career line or tenure line appointments greater than .50 FTE in order to gauge their opinion of the proposed change. The results of this poll are shown below:

2/2/18 Faculty Meeting Ballot:	Yes 15	No 5	Abstain 2
Absentee Phone Call:	Yes 3	No 0	Abstain 0
Total:	Yes 18	No 5	Abstain 2

With this memorandum, the School of Dentistry seeks approval to move this policy revision request to the agenda of the Faculty Senate Executive Committee.

**Policy 5-204 Remunerative Consultation and Other Employment Activities**  
**Section J. Full-time Medical and Dental Faculty Consultations**

Full-time medical faculty may not engage in private practice or consultation work except in conformity with the Medical Practice Plan ([Policy 8-001](#)) or other policies approved by the president, upon recommendation by the senior vice president for health sciences, subject to such conditions and limitations as the president may require. Such medical practice or consultation work must not interfere with the faculty member's primary responsibility to the University.

Full time dental faculty may not engage in private practice or consultation work except s approved by the senior vice-president for health sciences, upon recommendation by the dean of the School of Dentistry, subject to conditions and limitations as the senior vice-president for health sciences may require. Such dental practice or consultation work must not interfere with the faculty member's primary responsibility to the University.