

Staffing Contracts

"We are signing a contract with a staffing agency. What do we need to include?"

Ask your legal counsel to consider...

Contract Term

No more than one year.

Termination

Require the ability to terminate without cause with 30 days' notice.

Contract Renewal

Contracts should not automatically renew. Contracts should only renew upon written agreement.

Indemnity

Staffing agency must indemnify for the negligent acts of their staff.

Licensure

Staffing agency must provide evidence of competence and valid licensure.

Insurance

Require that you be named an additional insured on staffing agency's policy.

Liability Coverage

Require the agency to maintain a minimum \$1,000,000 professional liability coverage.

Background Check

The agency must provide current criminal background checks on their employees

OIG Exclusion

Agency will provide assurance that staff is not on the OIG exclusion list and will cover expenses and Over Payments resulting from one of their employees appearing on OIG or any other exclusion list.

Governing Law

The contract should be governed by the law of the state where the provider is located.

Code of Conduct

Staffing personnel should be required to sign-off that they will comply with the facility's code of conduct.

Performance

The facility must be allowed to remove an agency staff member from assignment to their facility without cause.