**Section 140.410 Physicians' Services**

a) Payment shall be made only to physicians licensed to practice medicine in all its branches.

b) The restrictions and limitations which shall apply to physician participation include the following:

1) Interns are not eligible to participate;

2) Residents are eligible to participate where, by terms of their contract with the hospital, they are permitted to and do bill private patients and collect and retain the payments received for their services;

3) Hospital based specialists who are salaried, with the cost of their services included in the hospital reimbursement costs, are eligible to participate when their contractual arrangment with the hospital provides for them to make their own charges for professional services and they do, in fact, bill private patients and collect and retain payments made;

4) Physicians holding non-teaching administrative or staff positions in hospitals and/or medical schools are eligible to participate to the extent that they maintain a private practice and bill private patients and collect and retain payments made; and

5) Teaching physicians who provide direct patient care are eligible to participate if the salaries paid them by hospitals or other institutions do not include a component for treatment services.