

**CAROLINAS MEDICAL CENTER
DIVISION OF MEDICAL EDUCATION
POLICY ON RESIDENT/FELLOW DISCIPLINE**

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PURPOSE: The purpose of the policy on resident/fellow discipline is to encourage early identification of academic, clinical, and professional deficiencies and to provide guidance, counseling, and remediation plans which will allow the resident to continue in the residency or fellowship program and to complete the program successfully. The policy provides guidance to both the program and the trainee of their rights and responsibilities.

POLICY STATEMENT: In the event that a disciplinary or performance issue arises regarding a resident/fellow participating in a Carolinas Medical Center graduate medical education program, the following disciplinary options may be sanctioned:

A. VERBAL WARNING

1. The Verbal Warning is a conversation between the program director (or designee) and the resident/fellow held in private concerning a disciplinary or performance problem.
2. The purpose of the Verbal Warning is to correct a performance or disciplinary problem by bringing it to the resident/fellow's attention.
3. The resident/fellow will be counseled by the program director and be provided the following information verbally:
 - a. State the specific problem in terms of desired outcomes and performance.
 - b. State clearly what is expected in the future.
 - c. Explain the consequences of any further infraction(s).
 - d. The verbal warning should be documented as to the infraction and the date that the conversation was held.

B. LETTER OF NOTIFICATION

1. The Letter of Notification is issued to document the fact the resident/fellow has been officially advised of the precise nature of his or her misconduct and warned that any future violations could result in further disciplinary actions, including termination.
2. The documentation will typically include the following information:
 - a. The date of the conversation.
 - b. The specific rule violation or performance problem that has occurred.
 - c. A reference to previous conversations about the problem, *if applicable*.
 - d. A statement of the specific change in the resident's performance or behavior that is expected in the future.
 - e. Any comments or statements the resident/fellow made during the conversation.
 - f. Statement and date of follow-up to review progress.
 - g. Signature of resident/fellow is required only to acknowledge receipt of the Letter of Notification. If resident refuses to sign, a statement regarding this attempt will be noted in the Letter of Notification.

C. REMEDIATION

1. Remediation is used as a tool to provide a written constructive plan when ongoing and/or significant deficiencies in a resident/fellow's performance or behavior are noted.
2. Remediation allows the resident/fellow to remain in Good Standing and continue active participation in the program while addressing the concerns and deficiencies identified.
3. A remediation plan will be issued to strengthen the resident/fellow's performance deficiencies that may cause disruption to a Resident's progression or continuation within the program.

4. If performance deficiencies persist and remediation is not successful after the period of time detailed in the remediation plan, further disciplinary action may be enacted.

D. PROBATION

1. ACADEMIC PROBATION

- a. The program director shall be authorized to place a resident/fellow on academic probation. Grounds for academic probation include performance judged to be unsatisfactory for the resident/fellow's level of training, unprofessional attitudes or conduct, or failure to comply with institutional and/or departmental policies and procedures. In all such cases, the program director shall provide the resident/fellow and Designated Institutional Official with written notification of such action which delineates specific reasons for the action, any previous counseling provided concerning the deficiency, the period of the probation status, requirements for removal of probationary status, and action to be taken should the resident/fellow fail to meet the requirements for removal of probationary status. Should a resident/fellow fail to comply with the requirements for removal of probationary status, the program director shall have authority to continue the resident/fellow's probationary status, require the resident/fellow to repeat specific portions of the educational program, or suspend or revoke the resident/fellow's appointment.
- b. Academic probation is part of the resident/fellow's permanent record and is reportable. The resident/fellow has the right to file a grievance under the Carolinas Medical Center Grievance Policy.

2. ADMINISTRATIVE PROBATION

- a. The Designated Institutional Official (DIO) shall be authorized to place a resident/fellow on administrative probation for violations of the eligibility standards for becoming and remaining a resident/fellow in the training programs, as outlined in the Graduate Medical Education Policies and Procedures manual. Grounds for administrative probation include, but are not limited to, failure to complete the employment physical, failure to obtain certification in ACLS, failure to meet deadlines for obtaining passing scores for USMLE Steps 2 and 3, and/or failure to meet the deadline for obtaining the appropriate medical license. In all such cases, the DIO shall provide the resident/fellow and program director with written notification of such action which delineates specific reasons for the action, the period of the probation status, requirements for removal of probationary status, and action to be taken should the resident/fellow fail to meet the requirements for removal of probationary status. Should a resident/fellow fail to comply with the requirements for removal of probationary status, the DIO shall have authority to suspend or revoke the resident/fellow's appointment.
- b. Administrative probation is part of the resident/fellow's permanent record and is reportable. The resident/fellow has the right to file a grievance under the Carolinas Medical Center Grievance Policy.

E. EXTENSION, SUSPENSION OR TERMINATION

1. The Program Director may suspend or terminate a resident/fellow from the training program or extend the length of the individual's training for failing to abide by the terms and conditions of the House Staff Agreement, Carolinas HealthCare System policies, Division of Medical Education policies, or Departmental policies or for the following academic reasons:
 - a. Substandard or unsatisfactory performance
 - b. Unprofessional or unethical conduct
2. **NOTIFICATION OF EXTENSION OR TERMINATION**
 - a. If a resident/fellow is extended, suspended, or terminated from the training program, the program director shall promptly notify the resident/fellow in writing. The notice shall contain the following:
 - (i) A statement of the reasons for the resident/fellow's extension, suspension, and/or termination from the residency or fellowship training program
 - (ii) Any additional charges against the resident/fellow

- (iii) Notice the resident/fellow has the right to request a hearing on the extension, suspension, and/or termination within five (5) business days of receipt of this notice
- (iv) A copy of this policy.
- b. The resident/fellow will typically receive the written notice of intent not to renew their agreement of appointment no later than four months prior to the end of the current agreement of appointment. However, if the primary reason(s) for the nonrenewal occur(s) within the four months prior to the end of the agreement of appointment, the resident/fellow will be provided with as much written notice of the intent not to renew as the circumstances will reasonably allow, prior to the end of the agreement of appointment.
- c. Extension, Suspension, and Termination is part of the resident/fellow's permanent record and is reportable. The resident/fellow has the right to file a grievance under the Carolinas Medical Center Grievance Policy.

F. GRIEVANCE

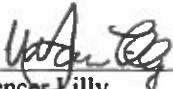
- 1. A resident/fellow may choose to file a grievance only for the disciplinary actions of academic probation, administrative probation, extension of training, suspension or dismissal. Please refer to the Carolinas Medical Center Grievance Policy for specific details.



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Division of Medical Education

5/23/2017

Date



Spencer Lilly
Senior Vice-President
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8-14-17

Date

