



OMECO

Graduate Medical Education Policy

Approved by the GMEC (Graduate Medical Education Committee) on November 27, 2018

Effective: July 1, 2019

Review Date: May 2021

Next Review Date: May 2023

Policy Title: Agreement of Appointment (Contract) Policy

Purpose: To describe the methods of Agreement of Appointment (Contract) for residents and fellows

Policy Type: Sponsoring Institution Policy

OSU-CHS/OMECO will ensure that each Sponsored Program will provide each Trainee with a written agreement of appointment/contract outlining the terms and conditions of their appointment to a program. The Program Director and Program Coordinator of the training program has the authority to supervise all the activities of the Trainee in the program.

OSU-CHS/OMECO will monitor each program regarding implementation of the terms and conditions of appointment. A sample agreement from each Sponsored Program will be filed with the GME (Graduate Medical Education) office of OSU-CHS/OMECO.

Each agreement must contain or provide reference to the following items: Trainee responsibilities; duration of appointment; financial support for Trainees; conditions for reappointment and promotion to a subsequent PGY (Post Graduate Year) level; grievance and due process; professional liability insurance; hospital and health insurance benefits; disability insurance; vacation, parental and sick leave, notice of the effect of leave(s) on ability of Trainees to satisfy requirements for program completion; information related to eligibility for specialty board examinations; a policy regarding duty hours and moonlighting, non-compete covenants.

Trainee Responsibilities

- Participate fully in the educational and scholarly activities of their program
- Attend all mandatory program and GME conferences
- Participate in call requirements as stated by each program that are consistent with the respective ACGME (Accreditation Council for Graduate Medical Education) program requirements
- Meet and progress through the ACGME core competencies as evaluated by their program director and their respective Clinical Competency Committee (CCC)
- Assume responsibility for teaching, peer evaluating and supervising other trainees and students
- Be familiar with and review their program's handbook and use this as a resource when it comes to adhering to established practices, procedures, and policies
- Abide by policies, procedures and work rules as outlined by their primary institution's Human Resources

- Take personal responsibility for their own fitness for duty and appropriately follow their chain of command within their program as it relates to personal recognition of impairment (fatigue, wellness, and substance abuse)
- Play an active role in their institution's committees and councils as it relates to quality improvement and systems-based practice
- Pledge their commitment to their respective health care teams without regard to gender, race, national origin, religion, economic status, disability, sexual orientation, statutorily protected status, or medical/physical limitations that may be related to substance abuse.
- Participate in surveys that are distributed by the ACGME, Sponsoring Institution or Sponsored Program.
- Follow all infection control policies at their respective rotation sites
- Consent to submit immunization records as required by the program
- Complete all Sponsoring Institution and program specific training modules by the designated deadline
- Maintain BLS/ACLS/PALS certification based on training program requirements
- Failure to comply with GME or program policies and procedures may result in the Trainee being placed on leave without pay and removed from the training program

Duration of Appointment

The term of this appointment is made on a yearly basis with the expectation that continuation within the one-year appointment and reappointment yearly throughout the duration of the training period will be based upon compliance with resident responsibilities, evidence of satisfactory progress in scholarship, professional growth, the availability of training positions, and GME policies including, Reappointment and Promotion and Disciplinary and Adverse Actions.

Conditions for Reappointment

If the resident has fulfilled all the educational requirements as set forth by the program and in compliance with ACGME program requirements, they may be able to progress to the next level of postgraduate training if approved by the Program Director. Renewal of this Agreement should not exceed one additional period of twelve (12) months. A written notice of intent must be provided to the resident and fellow for non-renewal, non-promotion, or dismissal. If a Trainee is not reappointed or promoted, an academic appeal process and grievance procedures are available to ensure that Trainees have access to adjudicate complaints and grievances.

COMLEX Level 3/USMLE Step 3 Requirement for Promotion

All Trainees entering programs at the PGY-1 level are required to pass Level/Step 3 prior to advancement to their PGY-2 advancement date. Failure to meet this requirement will result in non-renewal of the Trainees appointment unless exceptional circumstances exist that are approved by the Program Director and the Designated Institutional Official. Exceptional circumstances are not defined within this document and are made in a case-by-case situation. Trainees are required to provide evidence of passage to the Program Director. The Program Director is responsible for submitting a complete list of residents meeting this requirement by June 15th.

Grievance Procedures

Trainees have the right to raise and resolve issues without fear of intimidation or retaliation, including expressing concerns as they relate to the work environment, faculty, or Program Director. Grievance procedures should be outlined in the Sponsored Program's handbook and should be stated in the contract.

Academic Appeals Process

Adverse actions are occasionally delivered to trainees. An academic appeals process exists at the level of the Sponsoring Institution and should be integrated into program specific policies.

Professional Liability Coverage

Professional liability coverage should be provided by the Sponsored Program by which the Trainee is employed and should be included in their appointment contract. Coverage is not required to be mandated by the Sponsored Program for moonlighting.

Health and Disability Insurance

Health and disability policies are required for Sponsored Programs as a part of their appointment contract.

Leaves of Absence including Parental Leave

GME policies concerning vacation, sick, parental, family medical and educational leaves are required for Sponsored Programs. Policies may vary from program to program based on the individual specialty board requirements and between Sponsored Programs, but minimum days for parental leave must adhere to the Sponsoring Institution policy. It is the responsibility of the Program Director to communicate with the residents as it relates to time off and extended training and eligibility for specialty board examinations.

Clinical Experience and Educational Work Hours

Trainees must abide by the ACGME clinical and educational work hours at all Sponsored Programs.

Moonlighting

All Sponsored Programs must have a moonlighting policy that requires Trainees to submit a request for permission to moonlight that must be at minimum approved by the Program Director. If moonlighting is granted, Sponsored Programs are not required to pay for malpractice insurance. Trainees must abide by the clinical experience and educational work hours and failure to enter moonlighting as duty hours may be subject to disciplinary action. Sponsored Programs should not permit moonlighting unless the Trainee is in good cognitive and non-cognitive status.

Noncompete

No Sponsored Program is permitted to require a resident to sign a non-competition guarantee or restrictive covenant.

Certifying Board Eligibility

Trainees must be made aware of board eligibility after completion of training at the Sponsored Program. This should be distributed in the Sponsored Program contract or made available on the website. At minimum, the Trainee should be directed to the GME website.

<https://www.abms.org/member-boards/specialty-subspecialty-certificates/>
<https://certification.osteopathic.org/about/>

Accommodation for Disabilities

Any Sponsored Program that is receiving federal funds must comply with the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973. The Sponsoring Institution is committed to providing an environmental and educational experience for all Trainees. Therefore, each Sponsored Program should prohibit discrimination against persons with disabilities in the provision of benefits or services or the conduct of programs or activities on the basis of their disability. Each Sponsored Program should make reasonable modifications in its policies, practices, and procedures to avoid discrimination on the basis of disability, unless the modification would result in a fundamental alteration of the program or activity.

A sample agreement that is compliant with the ACGME requirements will be made available to all Sponsored Programs.