



# OMECO

## **Graduate Medical Education Policy**

Approved by the GMEC (Graduate Medical Education Committee) on

**Effective Date:**

**Review Date: May 2023 (New)**

**Next Review Date:**

### **Policy Title: Participating Site Procedures for Trainee Disciplinary Actions Policy**

**Purpose:** To assist participating sites in aligning with graduate medical education policies as they relate to disciplinary action of Trainees.

**Policy Type:** Sponsoring Institution/Sponsored Program Policy

1. Trainees in OSU-CHS/OMECO Sponsored Programs must follow the code of conduct as outlined by the Sponsoring Institution and their programmatic procedures and policies. Trainees also must fall under the guidelines as put forward by ACGME (Accreditation Council for Graduate Medical Education), and federal and state laws pertaining to the practice of medicine.
2. Trainees are required to comply with the bylaws, policies and rules and regulations of the participating site of the Sponsored Programs.
3. Trainee conduct that is in violation of professional and/or ethical standards, disrupts the normal operation and functioning of the participating sites or jeopardizes the safety and welfare of patients, peers or hospital staff is not considered acceptable.

### **Sponsoring Institution Responsibilities**

1. The Sponsoring Institution is responsible for all ACGME accredited Sponsored Programs. Sponsored Programs take responsibility for administrative oversight for their respective Trainees at all participating sites. It is thus the responsibility of the Program Director to be aware of Trainee behavior, performance and conduct at all times. If the Program Director is made aware of the physical, mental, or emotional inability of the Trainee, the Program Director is responsible for taking steps to verify the complaint and act.

2. Disciplinary actions and/or interventions are the responsibility of the Sponsored Program and should follow Sponsored Program policies in concert with Sponsoring Institution policies and procedures. If a disciplinary action is determined to be a part of the clinical site's policies/procedures, the Program Director should be notified so that disciplinary actions maintain alignment with the Sponsored Program's policies and procedures.
3. Participating sites must report physical/mental or policy violations to the Program Director or their designee of the Sponsored Program. If the program has assigned a site director at the participating site, it is acceptable to notify this individual if this is the process that has been delineated by the Program Director of the Sponsoring Program. If neither of these individuals are readily available, the DIO (Designated Institutional Official) should be notified.
4. Participating sites may request a Trainee be removed or suspended from their training activities if they have violated hospital policies or are determined to be a threat to patient or employee safety. If there is an egregious event, and immediate action must be taken, it should be done safely, and the Sponsored Program must be notified immediately.
5. If the participating site is concerned about substance abuse, the participating site should follow the policy of the Sponsored Program for drug/alcohol testing. The participating site should relieve the Trainee from duty and contact the Program Director immediately. It will be the responsibility of the Program Director to identify if a problem exists and appropriate rehabilitation is sought. The Program Director will be responsible for notifying the site when the Trainee is cleared to return to duty.
6. HIPPA violations should be reported to the Program Director.
7. Malpractice allegations will be handled by the Sponsored Program's legal counsel. Trainees are instructed to only discuss incidents or potential litigation with their legal counsel. The hospital should report alleged malpractice or other legal concerns to the Program Director.
8. Trainees do not have immunity for moonlighting activities or other clinical responsibilities for which they receive direct payment from the clinical site.
9. Trainees that are a victim of sexual harassment or other discrimination or witness sexual harassment or discrimination should follow clinical site procedures while notifying their Program Director.

If there are discrepancies between Sponsored Program and Sponsoring Institution policies, in general the stricter of the two policies will apply; however, the Sponsoring Institution and the Sponsored Programs will work collaboratively to come to consensus in areas of debate.

## References

### ACGME Sponsoring Institution Policies

#### I.A. Sponsoring Institution

I.A.1. Residency and fellowship programs accredited by the ACGME must function under the ultimate authority and oversight of one Sponsoring Institution. Oversight of resident/fellow assignments and of the quality of the learning and working environment by the Sponsoring Institution extends to all participating sites. (Core)

### ACGME Common Program Requirements

II.A.4. Program Director Responsibilities The program director must have responsibility, authority, and accountability for: administration and operations; teaching and scholarly activity; resident recruitment and selection, evaluation, and promotion of residents, and disciplinary action; supervision of residents; and resident education in the context of patient care. (Core)

I.B.3.a) At each participating site there must be one faculty member, designated by the program director as the site director, who is accountable for resident education at that site, in collaboration with the program director. (Core)