

	<b>Graduate Medical Education</b>	
	GMEC Approval Date:	05/18/2023
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Policy Title: <b>Disciplinary Action, Termination, and Non-Contract Renewal</b>		
ACGME Institutional Requirement: <b>IV.D.1.a</b>		Page 1 of 2

**I. Purpose**

To establish guidelines for the disciplinary action, termination, and non-contract renewal of residents/fellows in the LECOM resident/fellowship programs.

**II. Policy**

Graduate medical education programs will use recommended standards/criteria for disciplinary action, termination, and non-contract renewal of residents/fellows.

**III. Procedure**

- A. Trainees may be identified as performing unsatisfactorily by the program director and the Clinical Competency Committee for reasons including, but not limited to, any of the following:
  - 1. Failure to meet the performance standards of an individual rotation
  - 2. Failure to meet the performance standards or basic competencies of the program
  - 3. Failure to comply with institutional policies and procedures
  - 4. Professional misconduct or unethical behavior
  
- B. Trainees are counseled on unsatisfactory performance by his or her program director and/or the faculty designee. In the counseling session, the deficiency or problem is outlined and strategies for improvement/remediation are identified. Program directors are expected to discuss all underperforming residents at the GMEC meetings.
  
- C. When a program director determines that a trainee is underperforming or is not meeting standards of professionalism, the program director may place the resident on probation, suspension, or dismissal defined by the following terms:
  - 1. Probation: a trial period in which a trainee is permitted to improve academic performance or behavioral conduct that does not meet the standards.
  - 2. Suspension: a period in which a trainee is not allowed to take part in all or some of the activities of the program. Time spent on suspension may not be counted toward the completion of program requirements. The trainee's program may need to be extended to allow the trainee to meet his or her program requirements.
  - 3. Dismissal: the condition in which a trainee is directed to leave the program, with no award of credit for the current year, termination of the trainee's contract, and termination of all association with LECOM and its affiliates.
  
- D. When a trainee is placed on probation or suspension, LECOM shall notify the trainee in writing in a timely manner. [IR: IV.D.1.a.] The written statement of probation or suspension will include a length of time in which the trainee must correct the deficiency or problem, the specific remedial steps that the trainee must complete, and the consequences of non-compliance with the remediation.
  
- E. Trainees placed on probation or suspension are expected to meet with their Program Director for formal counseling sessions, at least at the end of the probation or suspension period, to discuss the trainee's progress in their remediation plan. The Program Director will communicate the status with the trainee: 1) continued probation, 2) removed from

probation, 3) placed on suspension, or 4) dismissed from the program. Trainees who are continued on probation or suspension will, again, be required to meet periodically with his or her program director to discuss progress.

- F. When a trainee is placed on probation, the program director will use the Resident/Fellow Counseling Form Template for their formal counseling sessions (Appendix A).
  - 1. Form must be filled out before the meeting with the resident/fellow
  - 2. Form must be signed by the resident at each session
  - 3. The Program Director will then sign it and forward to the DIO for their signature
  
- G. Contracts are for a period of one (1) year. If a subsequent contract is not being offered, the resident/fellow will be notified in writing a minimum of sixty (60) days prior to the end of the present contract. [IR: IV.D.1.a.)]
  
- H. When, after review, a trainee is found to be intellectually, educationally, temperamentally, morally, or otherwise unsuited to participate or continue in the program and remediation efforts have failed or would be inappropriate for the circumstance, the resident is dismissed from the training program. The trainee is notified in writing by the program director and/or the GME Committee designee (for example, HR Director, DIO). Trainees have the right to appeal disciplinary action in accordance with the Due Process Policy. [IR: IV.D.1.b.)]