

WU/BJH/SLCH Graduate Medical Education Consortium

Policy and Procedures on Impaired Physicians in Training

The Graduate Medical Education Consortium is charged with the responsibility of providing a safe working environment for the physicians in training (“trainees”) in its Graduate Medical Education residency and clinical fellowship programs. It is also the Consortium’s responsibility to patients, staff, fellow physicians, and the community to ensure that trainees are physically and mentally competent to meet their designated responsibilities.

The goal of this policy is to establish a mechanism for recognizing potential problems, facilitating treatment where appropriate, and ensuring the safety of trainees, patients, employees, family and significant others. The policy describes avenues for identifying and addressing potential impairments – including substance abuse, physical illness, and mental illness – that may prohibit a trainee from safely and effectively performing essential job functions or that may jeopardize the safety of the trainee, patients, or others.

Instances of potential impairment may also implicate other policies of the Consortium or its members (e.g., FMLA policies, leave policies), and Program Directors are encouraged to seek guidance as appropriate from the Designated Institutional Official and/or the applicable Consortium member’s GME Office or Legal office.

Procedures

The following procedures are generally applicable to instances of potential trainee impairment:

1. Employees of Consortium members who have non-privileged information¹

¹ Information obtained in the course of a privileged provider-patient relationship should not be disclosed pursuant to this policy, unless the provider believes the trainee presents a serious and imminent threat to the safety of him or

regarding a trainee's potential impairment are expected to report that information to the trainee's Program Director. Trainees also may self-report their own potential impairment.

2. Upon receipt of such report, the Program Director should consult with the Designated Institutional Official and determine what follow-up steps are appropriate under the particular circumstances. Such steps may include, among other things, one or more of the following:

- a. Interviews of the potentially impaired trainee and others.
- b. Temporary removal from patient care duties if, in the judgment of the Program Director and the DIO, failure to do so would potentially compromise safety or patient care.
- c. Referral of the trainee for drug/alcohol screening and/or treatment.
- d. Referral of the trainee for assessment and/or treatment by the Missouri Physicians Health Program or other program or healthcare provider.
- e. Referral of the trainee for a fitness for duty examination.
- f. Placement of the trainee on administrative leave.

3. If the trainee is referred for screening, assessment and/or treatment, the trainee will be required to execute any authorizations necessary for the results of and other information concerning the screening, assessment and/or treatment to be released to employees of Consortium members having a legitimate need to know.

4. A trainee's refusal to participate in a screening, assessment and/or treatment may result in suspension and/or termination in accordance with Consortium policies and procedures.

5. As a condition of the trainee returning to work and/or resuming patient care

herself, patients, or others. If the provider believes the trainee presents such a threat, he or she should contact the WUSM HIPAA Privacy Office to determine whether disclosure is appropriate.

duties, the trainee must obtain from the treating program or healthcare provider a release certifying that the trainee can safely and effectively perform the essential functions the job. The certification may also recommend reasonable accommodations that would enable the trainee to safely and effectively perform essential job functions.

6. The decision whether to permit the trainee to return to work and/or resume patient care duties, and whether to impose any restrictions upon return, will be made by the Program Director in consultation with the DIO and WUSOM or BJC Legal Services.

7. As a condition of returning to work and/or resuming patient care duties, the trainee will be required to enter into a written agreement concerning performance or behavioral requirements and/or ongoing screening, monitoring, or treatment.

8. If the trainee is deemed incapable of returning to work and/or resuming patient care duties in a manner that ensures the safe and effective performance of essential job functions, the trainee may be dismissed from the program.

Miscellaneous

1. Information concerning a trainee's potential impairment will be treated confidentially and will be shared only with employees of Consortium members having a legitimate need to know.

2. A trainee may be subject to corrective or disciplinary action, including dismissal, at any time for performance or behavioral issues even if they are attributable in whole or part to an impairment.

3. Unless otherwise determined by the Program Director, the trainee shall be responsible for costs associated with screening, assessment, treatment, and monitoring.