Evaluation of Housestaff Policy

ROWAN UNIVERSITY POLICY

Title: Graduate Medical Education Housestaff Evaluation
Subject: RowanSOM Housestaff
Policy No: *2018:01* (00-01-20-87.00)
Applies: School of Osteopathic Medicine
Issuing Authorities*:* Dean, School of Osteopathic Medicine
Responsible Officers: Associate Dean, Graduate Medical Education and Assistant Dean, Graduate Medical Education
Adopted: 7/27/95
Last Revision: 2/1/18
Last Reviewed: 2/1/18

I. PURPOSE

To specify minimum standards of the University for the eligibility, selection, evaluation, promotion and dismissal of Housestaff in postgraduate programs sponsored by Rowan University. Rowan University postgraduate program shall establish its own requirements, which may be more stringent, but shall not be less stringent, than the requirements specified herein.

II. ACCOUNTABILITY

Under the direction of the Associate Dean, Rowan University School of Osteopathic Medicine and the Assistant Dean, Graduate Medical Education shall ensure compliance with this policy. The appropriate Deans or their designee shall implement this policy through the Graduate Medical Education Program Director.

III. DEFINITIONS

1. Housestaff: Interns, residents and clinical fellows
2. House officer: Individual intern, resident or clinical fellow
3. Postgraduate program: Internship, residency or clinical fellowship program

IV. REFERENCES

1. **Background Checks for Housestaff Positions**
   https://confluence.rowan.edu/display/POLICY/Background+Check+Policy
2. **Outside Employment**
   https://www.rowan.edu/compliance/conflict/documents/NJOutsideActivityQuestionnaire2012.pdf
3. **Housestaff Immunizations and Health Requirements**
   https://confluence.rowan.edu/display/POLICY
   /Housestaff+Immunizations+and+Health+Requirements

V. POLICY

1. Requirements for Admission to Rowan University postgraduate programs:

a. It is the policy of Rowan University to obtain a consumer report or investigative consumer report, as those terms are defined in the federal Fair Credit Reporting Act, on all applicants to the University's postgraduate programs. In order to be admitted to a Rowan University postgraduate program, the applicant must receive a consumer report and/or investigative report deemed favorable by Rowan University.

2. Other requirements for admission are as follows:
    a. Graduate Medical Education Programs
        i. For admission to the first postgraduate year (PGY1 or OGME-I), the applicant must qualify for registration with the New Jersey State Board of Medical Examiners as defined in State Board of Medical Examiners Regulation 13:35-3.15(c) (EXHIBIT A)
        ii. For admission to PGY2 or OGME-II and subsequent years, the applicant must qualify for a permit issued by the New Jersey State Board of Medical Examiners as defined in State Board of Medical Examiners Regulation 13:35-3.15 (EXHIBIT A).
        iii. For admission to PGY3 and subsequent years, the applicant must have passed United States Medical Licensing Exam (USMLE) Step 3. For admission to the OGME-III and subsequent years, current OGME II trainees must have passed the Comprehensive Osteopathic Medical Licensing Examination (COMLEX) Level III before the completion of four months of OGME II training. For OGME II's and higher, outside the Rowan University system applying for OGME III or higher positions in the Rowan University system, the applicants must have passed the COMLEX Level III exam.
        iv. For admission to any postgraduate year after the applicant has used up his or her five (5) years of eligibility for registration/permit in the State of New Jersey, the applicant must have a New Jersey license.
        v. International Medical Graduates (IMGs) must, in addition to the above:
            1. be U.S. citizens, U.S. permanent residents, asylees, refugees, or J-1 exchange visitors sponsored by the Educational Commission on Foreign Medical Graduates (ECFMG); an hold a currently valid ECFMG certificate.
            2. In rare instances under special circumstances, the University may sponsor an IMG for H-1B temporary worker status. Such sponsorship must be approved by the School's Associate Dean for GME, the Dean and the Director of Human Resources following justification from the Dean.
    b. Housestaff Selection
        i. Postgraduate programs should develop selection criteria appropriate to the discipline and to the goal of producing caring and competent practitioners.
    c. Housestaff Contracts
        i. The contract for house officer in a graduate medical program shall:
            1. specify the specialty and sub-specialty, where applicable, and the level or Postgraduate Year (PGY), e.g., Internal Medicine PGY 1, 2, 3, or OGME-I, II, III, or InternalMedicine-Cardiology PGY 4, 5, or OGME-IV, V, etc., and the term of the contract;
            2. have an attachment describing assigned duties including patient care and teaching, and the program's overall work schedules;
            3. specify that the pertinent registration/permit/licensure requirements of the New Jersey State Board of Medical Examiners must have been met as a precondition of the contract;
            4. contain an attachment for medical housestaff defining scope of practice of registration or permit holders as per regulations of the New Jersey State Board of Medical Examiners;
            5. describe benefits including vacations, professional and/or sick leave, family leave, liability insurance, health insurance and other insurance for housestaff and their families, and meals and laundry or their equivalent, consistent with hospital or University policies or the collective bargaining agreement between the Committee of Interns and Residents (CIR) and the University, where applicable
            6. in accordance with any applicable accreditation or regulations or requirements, specify whether or not extramural employment (moonlighting) is permissible; and, where moonlighting is permissible, specify that malpractice coverage is not provided by the University for moonlighting and additionally specify that the house officer

must (a) have approval of the Program Director and (b) must give assurance that this activity will not interfere with responsibilities to the postgraduate program (see University policy, Outside Employment https://www.rowan.edu/compliance/conflict/documents/NJOutsideActivityQuestionnaire2012.pdf

7. have as attachments copies of Sections V.E (Academic Evaluation of Housestaff) and V.F (Promotion) of this policy;
8. specify that compliance with the University's Housestaff Immunizations and Health Requirements policy is required as a condition of the contract; and
9. state that "the house officer agrees that this agreement is contingent upon receipt by Rowan University of a consumer report or investigative report, as those terms are defined in the federal Fair Credit Reporting Act, deemed favorable by Rowan University."
10. state that the house officer agrees to immediately notify the School in the event of any future convictions, guilty pleas or no contest pleas to any crime, misdemeanor or otheroffense; and in the event of any future arrests, charges or investigations by any law enforcement authorities or professional licensing authority".

d. Academic Evaluation of Housestaff
   i. Evaluation System
   The postgraduate program must have in place a system of evaluation used to assess the academic performance of housestaff on a continuing basis; this system must be followed uniformly for all housestaff in the program. There shall be timely feedback to housestaff, particularly with regard to any deficiencies noted. Evaluations shall be documented in each house officer's academic record.
   ii. Requirement of Satisfactory Progress
   In order to continue in a postgraduate program a house officer must make satisfactory academic progress as determined in accordance with the postgraduate program's evaluation system.
   iii. Scope of Academic Evaluations
   All academic matters, including the ACGME and AOA competencies and scholarly activities, as appropriate, shall be considered in determining whether a house officer is making satisfactory academic progress. ACGME and AOA competencies include patient care, medical knowledge, practice-based learning and improvement, interpersonal and communication skills, professionalism, systems-based practice, osteopathic philosophy and osteopathic manipulative medicine.
   iv. The University's Model Statement on Academic Evaluation of Housestaff and Procedures for Academic Dismissals of Housestaff (EXHIBIT C) should be used as a guide in the academic evaluation of housestaff
e. Promotion
   i. Criteria for promotion in the postgraduate program shall be specified, updated, documented and communicated to housestaff at the beginning of each academic year.
   ii. In general, a housestaff's postgraduate level is determined by the Program Director, the Department Chair and the Dean on the basis of previous training and experience
   iii. In addition to fulfilling the requirement of satisfactory academic progress as specified in Section D above, housestaff must satisfy the following requirements:
      1. Graduate Medical Education Program:
         a. For promotion to PGY2 through PGY5, or OGME-II through OGMEV, the house officer must either have a New Jersey medical license or obtain and maintain a permit issued by the New Jersey State Board of Medical Examiners as defined in State Board of Medical Examiners Regulation 13:35-3.15 (EXHIBIT A); an unlicensed house officer who does not obtain or make application for such a permit shall automatically be terminated at the conclusion of PGY1 or OGME-I; an unlicensed house officer who fails to maintain such a permit shall be terminated upon the loss of the permit.
         b. For promotion to PGY3 or OGME-III, the house officer must also have passed USMLE Step 3, NBOME Part III or COMLEX Level III (which replaced

NBOME Part III in February 1995); a house officer who has not passed USMLE Step 3, NBOME Part III or COMLEX Level III shall automatically be terminated at the conclusion of PGY2 or OGME-II.

c. For promotion to any postgraduate year after a house officer has used up the five (5) year limit for registration/permit eligibility (as specified in NJSA 45:9-21d), the house officer must have a New Jersey license; a house officer whose eligibility for a permit has expired and who has not obtained a New Jersey license shall automatically be terminated at the conclusion of the last academic year of eligibility for a permit; and
d. Postgraduate programs have the option of requiring housestaff to obtain New Jersey licensure as a condition of promotion to PGY3 or OGMEIII if eligible at that time, or to any succeeding postgraduate year.

f. Dismissal for Academic Cause
   i. The school shall develop, maintain and follow a defined, written process for dismissal for academic cause. The process must satisfy the requirements of fundamental fairness and must apply equally to all housestaff. The process description should include details of determination of cause for dismissal, notification, and the right to be heard. The University's Model Statement on Academic Evaluation of Housestaff and Procedures for Academic Dismissals of Housestaff should be followed as a guide in all dismissals for academic cause (EXHIBIT C)
g. Inclusion of Policy in Housestaff Manuals
   i. Policies and procedures regarding the eligibility, selection, evaluation, promotion and dismissal of housestaff shall be included in housestaff manuals of each teaching facility sponsoring postgraduate training under the aegis of a Rowan University school and affiliated teaching hospital, or included in written materials distributed to all housestaff.

VI. EXHIBITS

1. Regulations of the New Jersey State Board of Medical Examiners governing postgraduate training, and registration and permit requirements for graduate medical education programs in medicine (13:35-1.3)
2. Model Statement on Academic Evaluation of Housestaff and Procedures for Academic Dismissals of Housestaff

By Direction of the Dean:
Signature on file

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Dean, Rowan University School of Osteopathic Medicine

EXHIBIT A
Regulations of the New Jersey State Board of Medical Examiners
See the following URL: http://www.njconsumeraffairs.gov/bme/Pages/regulations.aspx

EXHIBIT B
February 5, 2001

ROWAN UNIVERSITY
MODEL STATEMENT ON ACADEMIC EVALUATION OF HOUSESTAFF
AND PROCEDURES FOR ACADEMIC DISMISSALS OF HOUSESTAFF

This document sets forth a model to be used in developing the procedures for evaluation of the academic performance of housestaff at the Rowan University as well as procedures for adverse actions, including dismissal, based on such academic evaluations. (Note that throughout this document the term housestaff is

used to refer inclusively to interns, residents and clinical fellows. Similarly, the term postgraduate medical is used inclusively to refer to internship, residency and clinical fellowship programs.) These procedures are not intended to be applicable to non-academic matters; procedures for dealing with non-academic discipline are specified in the University's contract with the Committee of Interns and Residents (CIR). However, all matters that are academic in nature shall be addressed via this process even if such matters have both academic and non-academic implications.

I. Definition of Academic Matters for Purposes of these Procedures

Academic matters include acquisition of knowledge related to the discipline as well as all aspects of the development of clinical and professional skills necessary for effective functioning as a health-care professional. Of particular importance as academic issues are such areas of professional development as professional ethics and maintaining professional relationships with patients, staff members, students and other health-care professionals, including subordinates, colleagues and superiors. When particular issues are of concern as both academic and employment-related, they should ordinarily be treated as academic issues. Since the academic development of housestaff is the paramount reason for the existence of postgraduate medical programs at Rowan University, it is incumbent upon postgraduate program administrators and faculty to give the highest priority to and to place the strongest emphasis upon academic difficulties that housestaff may be experiencing.

II. Academic Evaluation of Housestaff

Each house officer shall be continuously evaluated for his/her academic performance as follows:

1. Evaluations of knowledge and of clinical and professional development shall be prepared periodically by all attending staff members who interact to a significant extent with the housestaff. Evaluation forms for this purpose will be developed by the Schools, departments or program. Standard forms developed by the appropriate specialty board or college may be utilized for this purpose. The evaluation interval shall be established by the program and shall, at a minimum, meet accreditation standards.
2. Evaluations are to be completed at the conclusion of each rotation by the house officer's supervising attending, utilizing the School program evaluation forms.
3. Other measures of performance to be considered in assessing academic growth include but are not limited to the following:
    a. Standardized examinations
    b. Required certifications
    c. In-service examinations
    d. Quality of research, presentations, publications, etc.
    e. Success in achieving assigned goals, including remediation goals.
4. Communications shall be documented between program director and faculty or other persons in a super visory role. In order for such communications to be used meaningfully in evaluation, oral communications must be documented, with a copy placed in the house officer's file and another copy provided to the individual. However, documentation of such communication may occur for the first time when an evaluation form is completed.
5. Periodic review of each house officer's progress in the program shall be conducted by the program director in which all of the above performance measures are discussed.

III. Remediation of Academic Deficiencies

In the event that academic deficiencies are identified:

1. The program director or designee shall counsel the house officer. If counseling is conducted by a designee, the program director shall be informed in writing.
2. When a house officer is asked to attend a personal interview for the purpose of investigating his/her performance or conduct and such interview may reasonably be expected to lead to actions that could be characterized as disciplinary in nature (such as a formal letter of reprimand, a suspension or a dismissal), written or oral notice of the interview shall be given to the Program Director for graduate

medical education and to the Committee of Interns and Residents (CIR). A CIR representative may accompany the house officer to hear the matter being discussed, but may not interfere with the interview or speak. Upon determining in good faith that the matter is academic in nature, the CIR representative should leave.

3. The program director shall outline corrective measures and shall establish criteria and time frames for the correction of the deficiencies.
4. The program director shall document the above interactions with the house officer in writing, with a copy placed in his or her file.
5. The program director shall re-evaluate compliance with corrective actions as established earlier.
6. If performance is restored to a satisfactory level, the program director will indicate this orally to the house officer as soon as it has occurred. A written notation of this interaction will also be placed in the individual's file, with a copy to the individual.
7. If the house officer fails to correct the identified academic deficiencies to the satisfaction of the program director within the specified time frame, the program director may either extend the remediation period, using the same procedures as for an initial remediation effort, or proceed with termination in accordance with Section IV.
8. For severe deficiencies warranting immediate termination, the program director may proceed in accordance with the steps outlined in Section IV, below.
9. Copies of all documentation regarding academic deficiencies of housestaff should be provided to the Associate or Assistant Dean responsible for graduate medical education.

IV. Termination

1. In the event of severe academic deficiencies or failure to remediate lesser deficiencies, the program director may make the determination that the house officer should be terminated from the program. The program director should consult with a representative group from among the faculty who interacts to a significant extent with the individual.
2. Once the program director has made the decision to terminate a house officer from the program, the director shall notify the individual in writing of the termination. Copies of this notice shall be provided to the Program Director for graduate medical education and to the CIR. Termination shall ordinarily become effective not less than two weeks after receipt of the written notice. The notification period may be waived at the discretion of the program director if, in the judgment of the program director, continuance of the individual in the program during the notice period would result in a risk of danger to patients or in a risk of other harm or damage either to the program itself or to other University personnel. The notification shall include the following:
    a. Reasons for dismissal
    b. Effective date of dismissal
    c. Process for appealing the dismissal

V. Appeal Process

1. The house officer may appeal the program director's dismissal decision to an Ad Hoc Appeal Committee established as indicated in Section V.B. This appeal must be made in writing to the program director within five (5) working days of having received the notification of termination.
2. If the house officer submits a timely notice of appeal, the director shall convene an Ad Hoc Committee of faculty members of the division, department or group of departments responsible for the program. The faculty members selected for this purpose shall be experienced faculty in the area of graduate medical education. The number of members of the Ad Hoc Committee shall be large enough to be representative of the faculty of the division, department or group of departments responsible for the program but in any case shall not be larger than five (5) faculty members.
3. The house officer may request to meet with the Ad Hoc Committee in person and be accompanied at the hearing by a faculty member or fellow housestaff who may act as an advisor. A CIR representative may be present at the hearing (but may not participate in the proceedings) only if the matter under discussion is disciplinary or has a disciplinary component, but not if the matter is strictly one of academic performance. The program director will also be present at the hearing at which time he or she shall set forth the reasons for which the house officer has been dismissed. Following the

presentation, the house officer and/or his or her advisor shall be permitted to set forth whatever information the individual wishes the Committee to consider as reasons to vacate the decision to dismiss him or her. Following the hearing before the Ad Hoc Committee, the Committee will immediately confer and, after deliberations, advise the Department Chair in writing of its recommendation and the reasons for that recommendation. The Department Chair shall render a decision, and the decision of the Chair shall be final. This decision shall be conveyed to the house officer in writing. The Chair shall provide copies of the decision to the Dean of the School and to the Associate or Assistant Dean responsible for graduate medicall education.