

Medical Education Policy: Discipline – Institutional Suspension

Facility: CMC
Origin Date: July 2009
Revision Date: January 2020
Sponsor: GMEC

1. PURPOSE:

To allow the Institution to temporarily relieve a resident or fellow from clinical and educational duties so that the Institution may conduct an investigation of potential violations of institutional policies and/or standards of conduct.

2. SCOPE:

This Policy applies to all Accreditation Council for Graduate Medical Education (ACGME), Council on Podiatric Medical Education (CPME), and Commission on Dental Accreditation (CODA) accredited post-graduate training programs sponsored by Carilion Medical Center (CMC).

3. DEFINITIONS:

3.1 Institutional Suspension: an action that may be taken by the DIO to temporarily relieve a resident or fellow of duty when it is alleged that the resident or fellow has been involved in a significant violation of Institutional policies, engaged in a significant violation of professional or ethical behavioral expectations, or exhibited an inability to provide patient care without jeopardizing the health and safety of patients, employees, staff or visitors. The period of Institutional Suspension allows the Institution to conduct an investigation of the allegations against the resident or fellow and to determine and recommend an appropriate course of action. Institutional Suspension is not a disciplinary action in and of itself. It is not reportable as “disciplinary action.” The resident or fellow will continue to receive full pay and benefits during a period of Institutional Suspension.

3.2 Other Definitions:

3.2.1 Business Days refers to Monday through Friday and exclude holidays that are recognized by CMC.

3.2.2 Designated Institutional Official (DIO) is the individual appointed by the Institution to provide oversight, administration, and accountability for CMC’s accredited graduate medical education programs.

3.2.3 Graduate Medical Education Committee (GMEC) is the committee authorized by the Board of Directors and administration of Carilion Medical Center to advise, monitor and evaluate all aspects of post-graduate education. Membership is determined by GMEC policy.

- 3.2.4 Institution is CMC collectively and includes its subsidiaries.
- 3.2.5 Program or Residency Program: refers to an accredited post-graduate medical education program based at CMC.
- 3.2.6 Program Director is the lead physician / clinician appointed by the Institution and registered with the appropriate ACGME Residency Review Committee to provide academic and administrative oversight of the respective Residency Program.
- 3.2.7 Resident refers to all interns, residents, and fellows participating in CMC's accredited post-graduate medical education programs.

4. PROCEDURE:

4.1 General Guidelines:

- 4.1.1 The timeframes described in this Policy are to be followed in the normal course, but they may be altered or adjusted for good reason. Additionally, the parties may agree in writing to waive a particular timeframe.
- 4.1.2 If hand delivery of a document is utilized under this Policy, the person delivering the document will ask the recipient of the document to sign and date the document to acknowledge receipt. If the recipient refuses to do so, the person delivering the document will note recipient refused to sign and date at ____ (time) on _____ (date).
- 4.1.3 If written notice is to be provided or delivered under this Policy, it may be accomplished by hand delivery, delivery of the USPS, or overnight delivery by a reputable overnight delivery organization. Notice will be deemed to be received on the date of hand delivery, the day delivered by the overnight delivery organization, or the second day following deposit of the written notice with the USPS. The most recent address on record should be used for USPS and overnight delivery.

4.2 Institutional Suspension:

- 4.2.1 The DIO will provide verbal and written notification to the Resident of the Institutional Suspension.
 - 4.2.1.1 This notification will include potential outcomes for the Resident once the investigation is completed.
- 4.2.2 The DIO will inform the Program Director and Department Chair verbally or in writing that this action is being taken.
- 4.2.3 The Resident will be requested to report to the office of the DIO to receive and sign the notice of Institutional Suspension. Should the Resident fail to report as requested, the DIO will use another form of notification.

- 4.2.4 When the Resident reports to the office of the DIO, they will be given an opportunity to clarify his or her understanding of the components of the notice of Institutional Suspension.
- 4.2.5 The Resident will be provided with a copy of the notice of Institutional Suspension, and a copy will be retained in their official record. The latter copy will be removed from the Resident's official record if the subsequent investigation results in unsubstantiated allegations or a failure of the Institution to take action against the Resident.
- 4.2.6 The Resident will be escorted off the Institution's campus, after securing personal items and must remain off the campus during Institutional Suspension unless the DIO requests them to be present.
- 4.2.7 Full pay and applicable benefits will remain in place during a period of Institutional Suspension.
- 4.2.8 During Institutional Suspension, a Resident will be expected to comply with the Institution's requests for such things as information, evaluation and attendance at meetings.
- 4.2.9 A period of Institutional Suspension will not count against paid time off.
- 4.2.10 If the Resident is reinstated into the training program after a period of Institutional Suspension, the Resident may be required to make up the lost time at the end of his or her Program in order to complete training requirements.
- 4.2.11 This policy does not preclude a Resident on Institutional Suspension from utilizing any CMC affiliated clinical site for clinical services for himself/herself, a spouse or a child.

Name	Title	Dept./Committee	Date
Daniel Harrington, MD	DIO	GMEC	July 2010
Daniel Harrington, MD	DIO	GMEC	June 2012
Donald W. Kees, MD	DIO	GMEC	April 2016
Donald W. Kees, MD	DIO	GMEC	August 2016
Donald W. Kees, MD	DIO	GMEC	April 2017
Donald W. Kees, MD	DIO	GMEC	January 21, 2020