PURPOSE: To assure and protect physician well-being and patient safety

POLICY:

I. Dismissal: Under certain circumstances, residents may be dismissed or suspended prior to the termination of their contract. These may include, but are not limited to:

   A. Non-performance of contractual duty
      1. Examples include absence without leave from assigned duty, refusing specific assignments, habitual tardiness, engaging in unapproved outside employment, lack of medical skills or judgement, unprofessional behavior, medical or psychiatric illness for which treatment is refused or ineffective and which impairs patient welfare, or failure to maintain valid professional licensure or VISA clearance suitable to the University
   B. Substantially substandard performance
   C. Inability of the residency program to perform its contractual duty due to circumstances not under the control of the University

II. Suspension:

   A. The Program Director or designee may at any time summarily suspend with pay a resident if he/she believes such suspension is in the interest of patient welfare, per recommendation from Program Evaluation Committee (PEC). Within ten (10) days of the date of imposition of such summary suspension, unless extended by mutual agreement of the resident, the Program Director must either reinstate the resident or provide the resident with written notification of his/her suspension and/or termination and the reasons therefore.
   B. The reduction of a resident’s clinical privileges or the imposition of a requirement that some or all of the resident’s clinical privileges be performed under supervision shall not constitute a suspension.
   C. Should a resident fail to complete medical records for which he/she is responsible in a timely manner, the resident may be suspended until such time as the delinquent records are completed. In case of such suspension, the resident shall not be entitled to due process.
III. Non-reappointment of Residents: Notification of non-reappointment will be made no later than four months before the end of the resident's contract when reasonably possible. Factors which may be considered in the decision not to renew a contract of a resident include, but are not limited to:

A. The staffing needs of the residency
B. The past evaluations and anticipated future performance of the resident
C. Lack of preparedness for promotion in this program, even if summative performance is satisfactory based on American Board of Psychiatry standards

IV. Appeals Process

A. The written notification of suspension and/or termination shall include an explanation from the Program Director of the reason(s) for such suspension and/or termination. The written notification shall also advise the resident of his/her right to request a formal hearing.
B. Within fifteen (15) days of written notification of his/her suspension, non-renewal and/or termination, a resident may request a hearing before the Appeals Committee, made up of GMEC appointed members not from the department.). The resident's request shall be in writing and submitted to the DIO.
C. The Appeals Committee shall convene a meeting within ten (10) days of the receipt of the resident's written appeal. The Committee shall notify the resident in writing of the date, time and place of the hearing as soon as reasonably possible, but no less than 72 hours in advance of the hearing.
D. The resident shall be present at the hearing and shall present such information or materials, oral and written, as desired to support their case. No other representatives shall be present during the hearing. Each party shall be permitted to review all materials submitted to the Committee.
E. The University Grievance procedure is available to appeal a decision for suspension, non-renewal or termination by the Appeals Committee.
F. When a resident entitled to utilize the University Grievance procedures has a complaint, that resident is expected to attempt to resolve the matter informally. This attempt must include discussion of the complaint with his/her Primary Administrator.
G. Should the resident wish to make a formal grievance, the formal grievance will be to the Department’s Grievance Committee. Formal grievances must be submitted within forty-five (45) days of notification of the determination of the Program Evaluation Committee (PEC) and must be submitted in writing to the Department Head as Primary Administrator. Requests must contain a description of the grounds for the complaint and the remedy sought.
H. The Grievance Committee shall consist of one (1) representative of each clinical site, i.e. Carle Foundation Hospital (CFH), Presence Covenant Medical Center (PCMC) and Veterans Administration Illiana Health Care System (VAIHCS), and one medical resident. The Committee is constituted annually by the Program Evaluation Committee (PEC). The Grievances Committee shall conduct its proceedings as outlined in Sections C and D above. The Committee will consider only that due process is assured, procedures appropriately executed and the fairness of previous decisions. Academic determination is specifically excluded, being the responsibility of the faculty.
I. Regardless of the outcome of the Grievance hearing, the Committee will provide to the resident, the Program Director, and the Department Head a written statement of its decision and reason(s) for such decision within ten (10) days from the date of the conclusion of the hearing. If written material is submitted to the Committee, such materials shall be appended to the Committee’s report. The program will be bound by the decision of the Grievance Committee.
J. The resident may appeal a negative Grievance Committee decision to the Director of the College of Medicine at Urbana-Champaign as Hearing Officer in accordance with the University of Illinois Chicago - Academic Grievance Procedures.

K. The procedural rights provided above and by University policies do not relate to departmental determinations relating to certification and/or evaluation of the resident's academic performance or clinical competence. Such certification shall be handled according to the standards of the faculty and specialty boards. The exception is allegation that academic determination is based on discrimination based on race, color, religion, sex, sexual orientation, natural origin, ancestry, age, marital status, handicap, unfavorable discharge from the military or status as a disabled veteran or veteran of the Vietnam Era. In these cases, full appeal procedures will be followed and the Office of Affirmative Action immediately advised.

VIII. Authority

A. The Clinical Competency Committee (CCC) makes recommendations through the Program Director of the Psychiatry Residency Program to the Program Evaluation Committee (PEC).

B. The Chair of the Program Evaluation Committee (PEC), may administratively make decisions for the Committee when the issues are clearly not controversial and do not adversely impact a resident's career or credibility.

C. The Residency Program Evaluation Committee (PEC) is the administrative body with authority to dismiss residents, renew or not renew contracts and make academic determinations.