

**EMORY UNIVERSITY SCHOOL OF MEDICINE
DEPARTMENT OF PSYCHIATRY
AND BEHAVIORAL SCIENCES
GENERAL PSYCHIATRY RESIDENCY
DISCIPLINARY ACTIONS
2013-2014**

The School of Medicine expects all residents to fulfill their responsibilities and conduct themselves in a competent, professional manner, and to follow the rules, regulations and policies of Emory University and affiliated hospitals, as well as federal and state law. In the event a resident falls short of these expectations, and/or engages in misconduct, violates rules, or fails to satisfactorily perform in the training program, the resident will be counseled and/or disciplined for his/her actions or inactions. This Section outlines some of the common disciplinary actions available to each residency training program. Typically the steps involved in corrective discipline of a resident include one or all of the following: verbal warnings, written warnings, probation, suspension, and termination. However, depending on the circumstances of the resident and his/her misconduct or other inappropriate action, the School of Medicine may choose any of the described disciplinary actions for a single infraction including immediate termination from the training program without first providing the resident lesser disciplinary actions. All discipline received by a resident will be taken into account in determining whether the resident will receive a reappointment offer.

7.01 Administrative Notice

Administrative Notice is a remedial action by which a resident is temporarily relieved of clinical duties without pay for violation of university, institutional, or departmental policy pertaining to administrative matters. Examples of inappropriate action triggering an administrative notice include, but are not limited to, failure to maintain an active medical license in the GME office, failure to provide evidence of training in basic life support techniques, failure to obtain PPD tests, and failure to provide OGME with a copy of his/her medical school diploma or ECFMG certificate. Administrative Notice is not necessarily considered censure, and the Chair or Program Director will decide whether it will become a part of the resident's permanent academic file.

The department Chair, Program Director, or their designee may impose an Administrative Notice upon a resident for failure to appropriately discharge his/her administrative responsibilities. Administrative Notice may not be invoked for deficiencies in academic performance, patient care, or any other non-program related administrative action or conduct, as those deficiencies should be addressed through verbal warnings, written warnings, probation, suspension, and/or termination. The resident may not appeal his/her receipt of an Administrative Notice.

The resident will be notified promptly of his/her placement on Administrative Notice. Such notice shall, if possible, be hand-delivered (with the resident signing and dating a copy to acknowledge receipt) or sent by certified mail (return receipt requested) to the resident's address of record. The department Chair, Program Director, or their designee will also, if possible, verbally inform the resident of the action. The Administrative Notice shall clearly delineate the

resident's area(s) of deficiency and establish a reasonable period of time no longer than 10 calendar days within which the resident must correct his/her deficiencies. During the period of Administrative Notice, the resident is relieved of all clinical responsibilities without pay. Failure to appropriately address the areas of deficiency in the appropriate time frame as outlined in the letter of notification is considered grounds for additional disciplinary action, up to and including termination from the residency program.

7.02 Verbal Warning

A verbal warning, which may be given to a resident by a departmental Chair, Program Director, or other faculty member, is designed to identify a resident's minor or initial infraction of policies, standards, or expectations. The warning should be firm and fair, with the faculty member assuring that the resident understands the policies, standards, and expectations. A written record of the date and content of the discussion, as well as the underlying situation which precipitated the warning, shall be maintained in the resident's academic file.

7.03 Written Warning (Letter of Reprimand)

A written warning may be issued only by a resident's department Chair or Program Director. A written warning is appropriate when a prior verbal warning has not resulted in the needed improvement or when the initial misconduct violation or performance inadequacy indicates a need for action stronger than a verbal warning. The written warning should note the unacceptable conduct or action that caused the warning, as well as the program's improvement expectations. The written warning must be signed by the resident and a copy given to him/her. A copy must be placed in the resident's academic file.

7.04 Probation

A department Chair or Program Director may place on probation a resident who is unable to meet the academic expectations of the training program (failing to progress at the expected pace), who experiences a serious lapse in complying with the responsibilities of the program, or for other serious misconduct and/or performance problems. A department Chair or Program Director should notify the Associate Dean for Graduate Medical Education or his/her designee before placing a resident on probation.

Probation is usually the second step of a series of disciplinary actions for a resident. Usually a resident will have one or more counseling sessions or receive a verbal or written warning about his/her deficiency prior to being placed on probation. In placing the resident on probation the Chair or Program Director should:

- Review the policies and expectations of the program;
- Identify the area of deficiency;
- Identify the improvement(s) that must be achieved during the probation period;
- Identify the length of the probationary period; and
- Inform the resident what action(s) may be taken if the stated improvements are not met in the established time frame.

A resident will receive this probation notification in writing. Copies of the probation notice will be placed in the residents' academic file and in his/her administrative file located in the Office of Graduate Medical Education. A probation period occurring during training will be noted in all letters of reference.

7.05 Suspension

The Dean of the School of Medicine or his designee, department Chair, and Program Director have the authority to suspend a resident for the most serious violations of policies, rules, laws and misconduct, performance problems, and/or recurring administrative lapses such as violations of medical records requirements. Prior to suspending a resident from the training program, the department Chair or Program Director must notify the Associate Dean for Graduate Medical Education or his/her designee. In addition, the Program Director will inform the OGME, in writing, of the cause for suspension, the length of suspension, whether the time lost while on suspension will be added to the resident's training requirements at the conclusion of his/her program, and any other pertinent information.

When suspending a resident, the Program Director or his/her designee must inform the resident, in writing, of the following:

- Action(s) that precipitated the decision to suspend the resident;
- The length of the suspension;
- The fact that the resident will not be paid while on suspension;
- The fact that the suspension will NOT be counted toward the completion of the training time required to be eligible for board examination(s);
- An indication of what the resident may/may not do while on suspension (for example, no moonlighting);
- The program's expectations for the resident upon his/her return from suspension.

Copies of the suspension notice will be placed in the resident's academic file and in his/her administrative file located in the Office of Graduate Medical Education. Suspensions will be noted in all letters of references.

7.06 Termination

If a residency appointment is terminated during the appointment period, the terminated resident may appeal the decision by following the procedures outlined in Section 33, "Hearing and Appellate Review Procedures for Termination of a Resident."