

**CENTRAL IOWA HEALTH SYSTEM  
GRADUATE MEDICAL EDUCATION COMMITTEE**

**POLICY ON RESIDENT CORRECTIVE ACTION, SUSPENSION AND DISMISSAL**

**I. Corrective Action**

- A. Grounds for Action: Whenever, for any reason, a resident's clinical competence, patient care or treatment, or management raises questions, or whenever questions are raised with respect to whether a resident has violated the Bylaws, Policies and Procedures of Central Iowa Health System or other institutions to which he/she has been assigned, or rules and regulations of the Medical Staffs relating to his/her professional conduct, or suspected of violating state or federal laws, the resident may be subject to corrective action, suspension, and/or dismissal from the Residency Program. Corrective action against such resident may be requested by clinical preceptors, faculty, medical staff officers, clinical department heads, or the Chief Executive Officer.

Requests for corrective action of a resident should be submitted to the Program Director and be supported by reference to the specific activities or conduct, which constitutes the grounds for the request.

- B. Investigation: Within three (3) days of the receipt of the request for corrective action, the Program Director shall notify the affected resident.

The Program Director shall gather information about the charges, provide the affected resident with seven (7) calendar days to prepare to respond to the allegations, and then meet informally with him/her to discuss the matter at a mutually agreeable time within three (3) days after the seven (7) days have lapsed. This meeting shall not constitute a hearing, and none of the procedural rules with respect to hearings shall apply hereto.

- C. Program Director Recommendation: Within fifteen (15) calendar days after the Program Director's receipt of a request for corrective action, the Program Director shall make a written recommendation stating the content of the concern, the information gathered through his/her investigation of the matter, his/her conclusions, and the corrective actions recommended, if any. The Program Director's recommendation may include, without limitation, any of the following:

1. Finding the request for corrective action unfounded.
2. Issuing a request for compliance, a letter of admonition, or a letter of reprimand.
3. Prescribing terms of probation or requirement to follow a remedial plan.
4. Recommending medical leave.
5. Recommending administrative leave.

6. Recommending reduction or suspension of resident responsibilities with educational credit.
7. Recommending reduction or suspension of resident responsibilities without educational credit.
8. Recommending that the resident be suspended or dismissed from the Residency Program with educational credit.
9. Recommending that the resident be suspended or dismissed from the Residency Program without educational credit.

The Program Director shall notify the affected resident in person or by certified mail/return receipt requested, of the recommendation, and provide a statement of the reasons for the recommendation. Further, unless the resident is being suspended or dismissed under Section III below, the Program Director shall also concurrently notify the resident of his/her right to a hearing and provide the resident with a copy of the CIHS Appeals Procedure for the Resident, which describes the due process and grievance procedures.

The Program Director shall forward the recommendation, with any supporting materials, to the Director of Medical Education, who shall take no action until after the resident has exercised or waived his/her right to a hearing, if applicable.

## **II. Summary Suspension**

- A. The Program Director shall have the authority, whenever action must be taken immediately in the best interest of patient care, to summarily suspend all or any portion of the clinical responsibilities of a resident, and such summary suspension shall become effective immediately upon imposition. The suspended resident must be notified by certified mail/return receipt requested of such action. The Designated Institutional Official will be notified of any such action in writing. Within fourteen (14) calendar days after the imposition of the summary suspension, the Program Director shall make a recommendation to continue, modify, or terminate the summary suspension.
- B. The Program Director may also recommend further corrective action, which may include, without limitation, any of the following:
  1. Issuing a request for compliance, a letter of admonition, or a letter of reprimand.
  2. Prescribing terms of probation, or requirement to follow a remedial plan.
  3. Recommending medical leave.
  4. Recommending administrative leave.
  5. Recommending reduction or suspension of resident responsibilities with educational credit.

6. Recommending reduction or suspension of resident responsibilities without educational credit.
  7. Recommending that resident be suspended or dismissed from the Residency Program with educational credit.
  8. Recommending that resident be suspended or dismissed from the Residency Program without educational credit.
- C. When the summary suspension of a resident's responsibilities is continued, or further corrective action is recommended, the Program Director shall notify the resident by certified mail/return receipt requested.
- D. Except as provided in Section III below, the resident who is adversely affected by the Program Director's recommendation for suspension or dismissal may request, within ten (10) calendar days of receipt of the written notification, that a hearing be held on the matter. Such hearing shall be conducted according to CIHS Appeals Procedure for the Resident.

### **III. Automatic Restriction, Suspension, or Dismissal**

- A. Any resident who violates the Central Iowa Health System Code of Conduct is subject to Human Resources policy governing disciplinary action, which can include oral or written reprimand, probation, suspension, or termination of employment.
- B. Action by the Iowa Board of Medical Examiners (IBME) suspending a resident's license or placing him/her on probation shall immediately and automatically suspend him/her from the Residency Program.
- C. Action by the IBME restricting a resident's license shall automatically commensurately restrict the resident's duties and responsibilities.
- D. Suspension or revocation of the resident's federal or state registration to dispense or prescribe certain drugs shall result in immediate and automatic commensurate restriction by the program.
- E. Action by the appropriate IBME revoking a resident's license shall cause immediate and automatic dismissal of the resident from the Residency Program.
- F. If the resident is suspended or dismissed under this Section III, the resident shall not be entitled to a hearing or subject to the appeal process outlined in the CIHS Appeals Procedure for the Resident.
- G. If a resident is arrested or formally charged with any infraction of the law, other than a minor traffic violation and/or misdemeanor, the offending resident shall report such violation or charges to his/her program director or the Designated Institutional Official within 48 hours of the offense. The resident will immediately be placed on an "administrative leave of absence" by the Designated Institutional Official. If the

resident fails to notify his/her program director or the Designated Institutional Official within 48 hours of the offense, the resident will be suspended from the residency program. The Designated institutional Official, in consultation with the program director and the CIHS Law Department, will determine the conditions for reinstatement. The Designated Institutional Official will notify the resident, in writing, of the terms of the leave of absence, or suspension, and the reinstatement.

#### **IV. Resident Compensation**

Unless an agreement in writing between CIHS and the resident otherwise indicates to the contrary, compensation payable to a resident who has been suspended or dismissed shall be discontinued until such person is reinstated, if such is the case. If reinstated, compensation is only payable prospectively, not for the period, which includes dismissal or suspension time.