

Augusta University
House Staff Policies and Procedures

Policy
HS 13.0 House Officer Evaluation, Grievance & Due Process

Source
Graduate Medical Education Office

1.0 Purpose

To define the procedure for Residency Program officials to evaluate the educational progress of House Officers and make recommendations regarding disciplinary actions taken against House Officers that could result in:

- Probation
- Dismissal
- Non-renewal of a House Officer Notice of Appointment; or
- Other actions that could significantly threaten a House Officer's career development

To define the due process available to House Officers.

2.0 Procedure

The Following policy and procedure applies to all House Officers in Training and will be followed by officials for each Program evaluating House Officers for promotion or for disciplinary actions.

NOTE: House Officers are encouraged to attempt to first resolve any grievance informally by meeting with the appropriate Program Director or Department Chairperson.

2.1 Each Residency Program shall have a Clinical Competency Committee (CCC). The membership of each individual CCC shall be determined by the individual Program and may include faculty, administrators and House Officers. The CCC shall have the following functions:

- To certify that House Officers have met the academic criteria for promotion;
- To periodically review the performance and academic progress of House Officers;
- To recommend feedback, remedial action, and/or counseling as needed, to correct deficiencies;
- To recommend non-renewal for House Officers who have failed to make adequate academic progress even though adequate feedback, documented remedial action, and/or counseling have been provided;
- To recommend disciplinary action, including dismissal, of a House Officer who has violated ethical norms, any applicable law or policy, or otherwise failed to meet the criteria for continued employment according to academic and non-academic guidelines.

2.2 The CCC shall make recommendations on probation, non-renewal, disciplinary actions (e.g., suspension) and dismissal to the Program Director. If the Program Director accepts the CCC recommendations, he/she will work with the Department Chair to enforce such actions. The recommendation must be in writing and a copy on file with the Graduate Medical Education Department.

2.2.1 Recommendations of non-renewal must be made at least four months before the end of the current contract period, unless primary reason(s) for the non-renewal occur(s) within the four months prior to the end of the contract. The House Officer must be notified and sign the action form. See H.S. Policy 3.0

2.2.2 Prior to making a recommendation, the CCC may request the House Officer in question to appear before the CCC to answer questions and provide additional information.

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- 2.3 The Program Director shall make decisions taking the CCC recommendations into account.,
- 2.3.1 If the Program Director considers a decision of probation, non-renewal, or termination, the Program Director will request an ad hoc meeting of the GMEC Due Process Subcommittee to hear the case.
- 2.3.2 The Program Director's final decision will be in writing;
- 2.3.3 Be personally delivered to the House Officer
- 2.3.4 Copies to the CCC and the Graduate Medical Education Office;
- 2.3.5 Inform the House Officer of right to request a hearing by an Ad Hoc Committee in cases of serious disciplinary action.
- 2.3.6 Inform the House Officer that they may also have the right to appeal through Human Resource channels, depending upon the circumstances of the situation. The PD or the GME Office will provide contact information for Human Resources upon request.
- 2.4 The House Officer shall have 10 days to file a request for hearing.
- 2.4.1 Request for hearing shall be in writing;
- 2.4.2 Shall state the reason(s) for request with a complete description of the basis for the grievance
- 2.5 The Dean, Medical College of Georgia or DIO shall appoint an Ad Hoc Committee (AHC) within 5 days of receipt of request for hearing.
- Note: All times are advisory and may be extended for reasonable cause
- 2.6 The Ad Hoc Committee (AHC) will be composed of three individuals (faculty, House Officers and administrators). No member of the committee shall have participated in the decision or action that the House Officer is grieving.
- Note: No member of the three person AHC shall have previously been substantially involved in any other decision or action directly involving the House Officer. Where possible, the committee shall not consist of members of the faculty of the House Officer's department, the committee shall include one member of the House Staff.
- 2.6.1 Parties may request removal of a member of the three person AHC member for cause;
- 2.6.2 House Officer has the right to a non-participating advisor (not an attorney). The House Officer and their advocate may confer during the meeting but the advocate is not permitted to speak on the House Officer's behalf during the meeting;
- 2.6.3 The Program Director may designate a person of their choice to represent the program;
- 2.6.4 All parties shall receive adequate notice of charges and opportunity to present evidence. All documents to be presented at the meeting shall be submitted to the GME Office no later than 48 hours (working hours) prior to the designed meeting time;
- 2.6.5 Evidence may be requested by the AHC;
- 2.6.6 AHC shall conduct a hearing within 10 days of appointment;
- 2.6.7 There shall be a tape or transcript of the hearing
- 2.6.8 The meeting shall be conducted according to internal GME Office policy.

Effective Date:
7/05

Revision/Review Date:
12/05,10/07,12/09,10/10,2/11, 1/13
10/14,9/15,1/16, 2/17, 08/18, 6/19, 8/19, 2/20, 8/20

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- 2.7 AHC will make recommendation(s) to the Dean, Medical College of Georgia or designee.
- 2.7.1 Recommendation will be in writing and will state facts and reasons for recommendation;
- 2.7.2 Recommendation will be delivered within 5 days of the hearing
- 2.8 Dean, Medical College of Georgia or designee shall make a decision based upon AHC recommendation, within 5 days of receipt.
- 2.8.1 Decision shall be in writing;
- 2.8.2 Delivered to the House Officer, Program Director, Graduate Medical Education Office and AHC;
- 2.8.3 For cases regarding dismissal or non-renewal only, the House Officer will be informed of the right to appeal to the President of Augusta University.
- 2.9 The House Officer shall have five business (5) days from receipt of the Dean's decision, to submit an appeal to the President of the University (or his/her designee)
- 2.9.1 Request for appeal shall be in writing
- 2.9.2 Shall state the reason (s) for the request with a complete description of the basis for the appeal.
- 3.0 Appeal to the President: The President or his/her designee (e.g. Provost or Vice President for the Academic and Faculty Affairs) shall review the appeal within five (5) business days. The President may either:
- Uphold the decision
 - Overturn the decision
 - Or modify the decision
- 3.1 The President or his/her designee shall notify in writing the concerned parties (i.e. both Principals, the Dean) of his/her decision within five (5) business days.
- 3.1.1 Inform House Office of the right to apply to the University System Office of Legal Affairs for a discretionary review.
- 4.0 Application to the University System Office of Legal Affairs
- 4.1 Apply to the University System Office (USO) of Legal Affairs for a discretionary review of the decision. Application for review must be made within a period of (20) business days following receipt of the decision of the President.
- 4.2 USG Legal Affairs shall determine whether the application for review is granted.
- 4.3 If an application for discretionary review is granted, a Committee composed of the following USO administrators shall review the final institutional decision: the chief legal officer or his or her designee, the chief academic officer or his or her designee, the chief human resource officer or his or her designee, and any other person or persons deemed appropriate by the Committee. USO Legal Affairs may issue guidelines governing the process for review.

The decision by the USO Legal Affairs and the Committee shall be binding and final for all purposes. There shall be no recourse to the Chancellor or the Board of Regents from such a decision.

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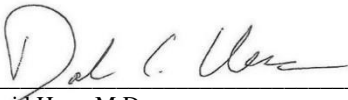
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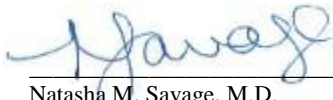
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- 5.0 Pursuant to Article 2, Chapter 34, Title 4, of the Official Code of Georgia Annotated, a licensed physician who qualifies as a Program Director is required to report to the Board the following within 15 days of the event:
- 5.1 House Officer with a Temporary Training permit who withdraws or is terminated from a postgraduate Training Program and reasons for such termination or withdrawal.
 - 5.2 Occurrence of any event identified as grounds for disciplinary action, violations, or practice restriction taken against a Temporary Training permit holder or any disciplinary action regarding quality of care and/or ability to practice with reasonable skill and safety.
 - 5.3 Any permit holder who has an unauthorized absence from the Program for any length of time in excess of two weeks and reason.
 - 5.4 At the completion of the Program year, Program Directors must report to the Board whether a permit holder has failed to advance in the Program for performance or behavioral reasons.
 - 5.5 Failure to notify the Composite State Medical Examiners of a House Officers change in status will have negative consequences for the Program Director and the Program Director shall be subject to disciplinary action(s) by the Board
- 5.5.1 Complete rules may be viewed at <http://www.georgiamedlicense.com>



David Hess, M.D.
Dean, Medical College of Georgia

7/1/21
Date



Natasha M. Savage, M.D.
Interim Associate Dean, Graduate Medical Education and
DIO

7/1/21
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