

TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER AT EL PASO
Paul L. Foster School of Medicine
GRADUATE MEDICAL EDUCATION
Standard Policy and/or Procedure

TITLE: Dismissal/Termination Policy

APPROVED: 9/7/2006

REVISED: 2/13/2009; 2/8/2017

EFFECTIVE DATE: 7/1/2009; 9/7/2006; 2/8/2017

PURPOSE: For the Sponsoring Institution, through the GMEC, to assure that individual residency/fellowship programs have established criteria for Dismissal/Termination of residents and fellows.

POLICY STATEMENT: While the authority to dismiss a trainee resides solely with the Dean of the School of Medicine, a trainee may be recommended for dismissal by the Program Director on behalf of program faculty during the term of the trainee's annual contract for unsatisfactory academic or clinical performance, misconduct, or violation of law, regulation, bylaws, policy or procedure.

Examples include, but are not limited to, the following:

- Failure to satisfy the academic and clinical requirements of the training program;
- Professional incompetence, misconduct or conduct inconsistent with or harmful to patient care or safety;
- Consistently substandard performance; conduct that calls into question the professional qualification, ethics or judgment of the trainee;
- Inappropriate or unprofessional behavior toward other trainees, employees, medical staff, patients, patients' families, volunteers or visitors of the participating institution(s) to which the trainee is assigned and/or the sponsoring institution's clinics;
- Violation of the bylaws, rules, policies, and/or procedures of TTUHSC El Paso, the medical staff, participating institution(s), or applicable department, division or program(s);
- Scientific misconduct;
- Violation of local, state or federal law;
- Forgery, alteration or misuse of sponsoring and/or participating institution documents or records, including but not limited to residency application, time and attendance reports, medical records, and other reports and records;
- Illegal use, possession and/or illegal sale of drug, narcotic or other controlled substances as defined by the Texas Controlled Substance Act;
- Alcohol or chemical substance abuse, dependency or addiction and refusal of treatment for same;

- Job abandonment or excessive tardiness/absenteeism;
- Fraud and/or abuse involving any billing, administrative, or regulatory procedures including but not limited to Medicare, Medicaid, and other governmental programs as well as private pay and other third party reimbursement programs;
- Failure to report and/or detect suspected fraud and/or abuse involving any billing, administrative or regulatory procedures, including but not limited to, Medicare, Medicaid, and other governmental programs as well as private pay and other third party reimbursement programs;
- Harassment, including physical, verbal, and/or sexual, of any individual associated with TTUHSC El Paso or a participating institution, including but not limited to, any patient, visitor, or employee of TTUHSC El Paso or a participating institution;
- Failure to maintain up-to-date immunizations;
- Failure to comply with mandatory training;
- Failure to hold a valid Texas Medical License or Physician-in-Training (PIT) permit;
- Failure to maintain valid work authorization to work in the United States through loss of appropriate visa status or other U.S. Department of Citizenship and Immigration Services (CIS) work authorization, or failure to demonstrate ECFMG certification or certification from other similar authoritative bodies;
- Unauthorized possession of property of TTUHSC El Paso or a participating institution, or property of employee, patient or visitor of such institutions;
- Assault or fighting on property of TTUHSC El Paso or a participating institution;
- Possession of firearms, dangerous weapons, or explosives on TTUHSC El Paso property, unless the individual has TTUHSC El Paso written approval for such possession in the performance of his/her job or such possession is permitted by Texas law and TTUHSC El Paso policy;
- Gross negligence or willful indifference that jeopardizes the life and/or welfare of another individual or produces significant financial loss to TTUHSC El Paso;
- Disclosing information of a confidential nature to unauthorized persons, or any action that is a breach of professional ethics;
- Actions that directly violate any of the terms of the Resident/Fellow Agreement; or,
- Other circumstances deemed significant by the Program Director and Faculty.

The recommendation for dismissal shall be made in writing to the trainee by the Program Director and cite, in detail, the reason(s) for the recommendation with attachment of any relevant related documentation. A copy of the recommendation shall be provided to the Department Chair and the Office of Graduate Medical Education. A copy should also be placed in the trainee's permanent file.

A recommendation for dismissal is considered an adverse disciplinary action and is subject to appeal as specified in the Adverse Action Appeals Policy located in the Graduate Medical Education Policies and Procedures

http://elpaso.ttuhsce.edu/som/gme/policies_procedures.aspx