



ADVERSE ACTION

In order to maintain a safe environment for everyone at Nationwide Children's Hospital (NCH), Program Directors have an obligation to follow up in a timely manner on concerns regarding a resident's or fellow's (trainee's) performance and to identify an appropriate course of action. If the Program Director determines the concern about the trainee's performance is significant enough to place patients, peers, himself/herself, or others at risk or for breach of contract, the trainee may be removed from responsibilities immediately.

Adverse actions may include, but are not limited to, work improvement program, temporary suspension from the program, extension of the training period, non-promotion to the next level of training to allow time for remediation, probation, non-renewal of the trainee's contract, and/or mid-year termination from the program. Concerns involving complaints of harassment will be investigated by the NCH Human Resources Department.

Program Directors must document the nature of the academic, performance, behavioral, ethical, or other disciplinary problems/violations resulting in an adverse action. The Program Director may contact the GME Office for assistance in how to document these violations.

- The Program Director must gather sufficient information to make an informed decision before taking an adverse action against a trainee.
- The trainee will be dismissed if this investigation indicates that he/she is unable to satisfactorily fulfill the program requirements or that the trainee's actions are of such a serious nature that he/she should not be continued in the program.
- If a trainee is suspended or dismissed from the program, the Program Director must notify the trainee in writing and also notify the NCH Department Chair, DIO, Chief Medical Officer, President of the Medical Staff, Human Resources, and Legal Services.
- The Program Director, in consultation with the GME Office, will determine if the adverse action will result in an extension of the training program. Trainees who are placed on probation or otherwise removed from program responsibilities generally will not receive credit for time in the training program during this period.

The Program Director will notify in writing the trainee and the NCH Department Chair, Designated Institutional Official (DIO), Chief Medical Officer, and President of the Medical Staff of the proposed adverse action concerning the trainee and the reasons for the action. The trainee will be informed in writing of his/her due process rights and the procedures established by the GMEC (see Due Process for Adverse Action policy.)

The Program Director will document in writing in the trainee's file the deficiencies, communications with the trainee and other parties, remediation efforts, and decision making process. If a decision is made not to renew a trainee's contract or not to promote a trainee to the next level of training, the trainee will be notified at least four (4) months prior to the end of the trainee's current contract. If the primary reason(s) for non-renewal or non-promotion occur(s) within four months prior to the end of the contract, the Program Director must provide the trainee with written notice of intent not to renew or not to promote as soon as circumstances allow. See the GME Document Retention Policy for the information to retain in the trainee's permanent file.

If a trainee is suspended, dismissed, or has work restrictions imposed which may prevent fulfillment of duties at a site external to NCH and its facilities, the DIO at that institution (or preceptor at a private office) must be notified.

Approved by GME Committee: 8/25/95; 3/8/00; 9/20/00; 12/16/04; 12/18/07; 12/15/2010