

Appropriate Treatment of Trainees - Standards of Professional Behavior

Policy Number: GME - 026

Version: 01

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Purpose:

To establish guidelines for professional behavior and maintaining a positive learning environment in UC San Diego Health Systems Graduate Medical Education (GME) Training Programs.

Scope:

Faculty physicians, supervising House Officers (residents or fellows), medical students, and other trainees in UC San Diego Health Systems GME Training Programs. House Officers may either be the victim of mistreatment or the perpetrator of mistreatment toward other trainees.

Definitions:

Trainee: In the context of this GME policy, trainees may be UC San Diego House Officers, House Officers rotating from other institutions, or medical students who are being supervised by another UC San Diego physician.

POLICY:

A. Responsibility of Faculty and House Officers to provide an appropriate learning environment for those they supervise

UCSD Health Systems is dedicated to creating and maintaining an educational environment in which every Trainee is able to achieve his or her highest potential. Interactions between those representing UCSD Health Systems and Trainees should be characterized by compassion, civility, support, integrity, excellence, cultural competence, humility and respect. Faculty and supervising House Officers should serve as role models for Trainees in their interactions with patients, staff, and each other. Bias based on race, ethnicity, sex or sexual orientation has a major deleterious effect on the learning environment and is strictly prohibited.

UCSD Health Systems seeks to recruit and train individuals who demonstrate exemplary behavior in all of their interactions. Faculty physicians and supervising House Officers should adhere to the best scholarly standards of their disciplines and should encourage the free pursuit of learning in their Trainees. Faculty and House Officers should demonstrate respect for Trainees as individuals, and they should adhere to their proper roles as intellectual guides and counselors. They must make every reasonable effort to foster honest academic conduct and to assure that their evaluations of Trainees reflects each Trainee's true merit. In addition, they respect the confidential nature of the relationship between physician and Trainee; they must avoid Trainee exploitation and harassment, and they should protect Trainees' freedom to pursue their academic endeavors.

Mutual respect between Trainees and other healthcare professionals may be expressed in many ways but all interactions should include honesty, fairness, and evenhanded treatment. Behaviors that are inherently destructive to the teacher-learner relationship or the learning environment are prohibited. Trainees are adult learners and, as such, deserve the respect one would give to colleagues. Examples of a hostile learning environment and abusive treatment of Trainees include but are not limited to the following:

- Public berating and humiliation
- Intellectual "bullying"
- Deliberately and repeatedly excluding Trainees from reasonable learning opportunities
- Asking Trainees to carry out personal chores or tasks to cull favor or to avoid explicit or implicit criticism
- Destructive criticism
- Physical punishment or physical threats (e.g., hitting, slapping, pushing, kicking, the threat of physical punishment or intentionally or negligently placing another at risk of physical harm)
- Sexual harassment (e.g., physical or verbal advances, discomfoting humor, soliciting sexual favors in exchange for grades or opportunities)
- Discrimination based on Trainee's race, religion, ethnicity, sex, age, sexual orientation, culture, socioeconomic status, or physical or mental disabilities
- Grading used to punish a Trainee rather than to evaluate objective performance
- Assigning tasks or cases for punishment rather than to evaluate objective performance
- Intentional neglect or intentional lack of communication
- Telling **potentially** offensive jokes, stories, or discussions using profane language.

Faculty should always maintain the highest standards of professional behavior when interacting in the healthcare environment.

It is important to note, however, that setting performance standards is a necessary part of medical education and vital to protect patient safety. When Trainees are unable to meet program standards, it is crucial for supervising physicians to deliver constructive feedback in a private, formal setting in order to inform appropriate remediation activities. It must be clear that feedback oftentimes will be uncomfortable, and that, in and of itself, does not constitute mistreatment. In determining mistreatment, it is important to take into account whether the activity or action is damaging, unnecessary, undesirable, ongoing, or if it could be reasonably expected to cause damage.

B. Procedure for Trainees to report an inappropriate learning environment

Often the most difficult issue for a Trainee is deciding whether a particular incident constitutes mistreatment and should be reported. In this circumstance, discussion with a trusted friend or mentor may help to clarify the situation. Discussion with the individual involved might also be appropriate and might lead to a resolution without a complaint being made.

If a Trainee decides mistreatment has occurred, he/she should report the incident to an appropriate official. Appropriate officials may include the program director, the Department Chair, the Trainee's faculty advisor, Deans, or other university officials. If a trainee is a medical student, an appropriate official also includes the Associate Dean for Admissions and Student Affairs. Additional options for reporting or obtaining advice include the GME Anonymous Feedback link and the UC San Diego Office of the Ombuds. Many individuals do not report instances of mistreatment due to fear of retaliation or lack of transparency in which the trainee does not get closure on the incident. UC San Diego Health Systems is committed to protecting all persons who make a report, or participate in the process of resolution, from retaliation and will be responsible for informing involved parties to the extent possible.

Informal Route for Resolution

If the Trainee wishes to pursue an informal route for resolution, the Trainee should report the incident to an appropriate official. The following may then occur:

A meeting takes place between the appropriate official and the accused, with or without the Trainee present (such a course of action would be appropriate in order to clarify a situation or when an understanding of the effect of nature of the behavior would have a reasonable expectation of being sufficient to effect change).

An informal resolution, satisfactory to both the accuser and the accused, is reached. In this case, no further action need be taken.

Note: The above course of action would be appropriate if an incident is not deemed to be serious by the Trainee and the appropriate official; however, if a pattern of such actions subsequently occurs, a formal route for resolution may be appropriate.

Formal Route for Resolution

If an incident is sufficiently serious to warrant a formal investigation, or if resolution cannot be reached through informal means, the Associate Dean for Graduate Medical Education (GME) and the Department Chair should be informed by the Trainee or the appropriate official to whom the Trainee has previously reported.

Incidents regarding sexual harassment will be referred to the Director of the Office for the Prevention of Harassment and Discrimination for investigation and resolution, according to established policies. Investigation of other types of incidents may be undertaken by the Program Director, Chair of the Department, Associate Dean for GME, or referred to the appropriate body of authority as dictated by University or institutional policy. Such authorities may include the Department Chair or the Committee on Privilege and Tenure (if the accused is a faculty member), the Department Chair or Residency Program Director and Associate Dean for GME (if the accused is a House Officer), the Director of Nursing (if the accused is a nurse), or the department supervisor and Human Resources (if the accused is a staff employee).

Any appropriate disciplinary actions would be undertaken by these bodies as determined by University policy, in consultation with the Associate Dean for GME, the Chair of the Department, and, as needed, University counsel.

Any complaints filed under this policy should occur **within ninety calendar days of the incident giving rise to the complaint**. The resolution of all formal complaints should occur promptly. The result of any action taken as a result of these policies should be transmitted to the accuser and accused in writing. If said action is not satisfactory to the accuser or accused, a written appeal may be made to the Vice Chancellor for Health Sciences. Such appeals should be filed within thirty calendar days of the written notification of the finding or action taken.

C. Protection of Trainees and involved parties

Complaints filed under this policy, whenever possible, shall be held in confidence to protect the Trainee and the accused supervising physician. If an informal route for resolution was pursued, a record of the investigatory proceedings and the resulting action may be held in a sealed file in the Training Program or Department Chair's office. If a formal route for resolution was pursued, a record of the investigatory proceedings and the resulting action shall be held in a sealed file in

the Office of the Associate Dean for GME. If the trainee is a medical student, a copy of the investigatory proceedings and resulting action shall be held in a sealed file in the Associate Dean for Admissions & Student Affairs. It is the policy of the UCSD Health Systems to protect Trainees who come forth under this policy and to take all steps possible to prevent retaliation. Individuals who report a violation of professional standards will be informed of the resolution of the issue to the extent possible given the specific circumstances of the episode.

References:

UCSD SOM Handbook; Policy on Mistreatment of Students

Applicable policies of the Office for the Prevention of Harassment and Discrimination

Attachments:

NA

Approval Dates:

GMEC 01/11/2012

Contact Information:

Office of Graduate Medical Education; <http://meded.ucsd.edu/gme/>