

**Policy on Resident Dismissal and
Due Process Hearing Procedure
Graduate Medical Education Committee
Children's National Medical Center**

I. Definitions:

The term "resident" refers to all graduate medical trainees.

II Purpose:

CNMC supports an educational environment in which residents may raise and resolve issues without fear of intimidation or retaliation which includes:

- Establishment of fair, reasonable, and readily available policies and procedures for adjudication of residents' complaints and grievances related to the work environment or issues related to the program or faculty.
- Implementation of fair and reasonable policies and procedures for academic or disciplinary actions taken against residents that could result in dismissal, non-renewal of a resident's agreement, non-promotion of a resident to the next level of training, or other actions that could significantly threaten a resident's intended career development.
- A fair and reasonable process for residents to address concerns in a confidential and protected manner.

III. Responsibility

It is the responsibility of all CNMC residents, program directors, and faculty to comply with this policy.

IV. Policy:

Dismissal of Resident

Completion of training is contingent upon a resident's satisfactory performance and meeting all program requirements as stipulated by the Accreditation Council for Graduate Medical Education or other appropriate governing body. The Hospital may terminate the resident's training for cause, which shall include:

- 1) Any adverse change in applicable external funding
- 2) Adverse licensure action
- 3) Serious misconduct
- 4) Material breach of the employment agreement
- 5) Unsatisfactory performance

Residents must be allowed to implement the institution's grievance procedures if they received a written notice of dismissal, non-renewal of contract, non-promotion to the next level of training, or other actions that could significantly threaten a resident's intended career development. The CNMC Director of Medical Education is responsible for dispute resolution. The resident is entitled

to a hearing before a panel of medical staff members of the Graduate Medical Education Committee appointed by the GMEC Chair to provide non-binding counsel to the Director of Medical Education for final action. This panel may not include the trainee's own program director. In the event a resident believes the Director of Medical Education may be biased in the particular situation, the resident can request that the Chief Academic Officer assign a different individual for this responsibility, before any grievance hearings commence.

Request for Hearing

If a resident elects to request a grievance hearing, the resident must submit a formal written request for a grievance hearing to CNMC Director of Medical Education within 14 calendar days after the resident receives notice of the action that has been or will be taken. The formal request must be written, signed and dated and must include a complete description of the complaint or the action leading to the grievance and any other information that may be relevant to the incident.

Panel Recommendation

Following the grievance hearing, the panel will provide the CNMC Director of Medical Education with a recommendation for final action based on the evidence, testimony and other documentation presented during the grievance hearing.

Documentation of Grievance Hearing

The CNMC GME office will maintain the documentation from the grievance hearing.

Approved (Policy on Resident Grievance Process) by CNMC GMEC: April 22, 2005

Modified and approved by CNMC GMEC: March 21, 2007

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