

Policy Name: Graduate Medical and Dental Education

Approval Authority: RBHS Chancellor

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1. Who Should Read This Policy

All Rutgers University faculty, staff, and students within Robert Wood Johnson Medical School, School of Health Related Professions, Rutgers School of Dental Medicine, New Jersey Medical School, Graduate School of Biomedical Sciences, School of Public Health, and School of Nursing (former UMDNJ School of Nursing).

2. Related Documents (refer to policies.rutgers.edu for additional information)

- A. Criminal Background Checks for Applicants for RBHS Housestaff Positions
- B. Housestaff Immunizations and Health Requirements

3. The Policy

DEFINITIONS

- A. Housestaff: Interns, residents and clinical fellows.
- B. House officer: Individual intern, resident or clinical fellow.
- C. Postgraduate program: Internship, residency or clinical fellowship program.

POLICY

- A. Requirements for Admission to RBHS postgraduate programs:

It is the policy of RBHS to obtain a consumer report or investigative consumer report, as those terms are defined in the federal Fair Credit Reporting Act, on all applicants to the University's postgraduate programs. In order to be admitted to an RBHS postgraduate program, the applicant must receive a consumer report and/or investigative report deemed favorable by RBHS.

- B. Other requirements for admission are as follows:

- 1. Graduate Medical Education Programs
 - a. For admission to the first postgraduate year (PGY1 or OGME-I), the applicant must qualify for registration with the New Jersey State Board of Medical Examiners as defined in State Board of Medical Examiners Regulation 13:35-3.15(c) (EXHIBIT A).

- b. For admission to PGY2 or OGME-II and subsequent years, the applicant must qualify for a permit issued by the New Jersey State Board of Medical Examiners as defined in State Board of Medical Examiners Regulation 13:35-3.15 (EXHIBIT A).
- c. For admission to PGY3 and subsequent years, the applicant must have passed United States Medical Licensing Exam (USMLE) Step 3. For admission to the OGME-III and subsequent years, current OGME II trainees must have passed the Comprehensive Osteopathic Medical Licensing Examination (COMLEX) Level III before the completion of four months of OGME II training. For OGME II's and higher, outside the UMDNJ system applying for OGME III or higher positions in the UMDNJ system, the applicants must have passed the COMLEX Level III exam.
- d. For admission to any postgraduate year after the applicant has used up his or her five (5) years of eligibility for registration/permit in the State of New Jersey, the applicant must have a New Jersey license.
- e. International Medical Graduates (IMGs) must, in addition to the above:
 - i. be U.S. citizens, U.S. permanent residents, asylees, refugees, or J-1 exchange visitors sponsored by the Educational Commission on Foreign Medical Graduates (ECFMG); and
 - ii. hold a currently valid ECFMG certificate.
 - iii. In rare instances under special circumstances, the University may sponsor an IMG for H-1B temporary worker status. Such sponsorship must be approved by the School's Associate Dean for GME, the Dean, and the RBHS Vice Chancellor for Academic Affairs following justification from the Dean.

2. Graduate Dental Education Programs

- a. For admission to a PGY1 or PGY2 residency of a Rutgers graduate dental education program, the applicant must:
 - i. be a graduate from an institution approved by the Commission on Dental Accreditation of the American or Canadian Dental Association (EXHIBIT B), and
 - ii. hold a resident permit from the New Jersey State Board of Dentistry unless already licensed to practice dentistry in New Jersey (EXHIBIT B), and
 - iii. have passed Parts I and II of the National Board of Dental Examiners (NBDE) (EXHIBIT B).
- b. For admission to an Oral & Maxillofacial Surgery Program, the applicant must fulfill the requirements in section V.B.2.a above plus have U.S. citizenship or permanent residency status with associated proofs thereof.

C. Housestaff Selection

Postgraduate programs should develop selection criteria appropriate to the discipline and to the goal of producing caring and competent practitioners.

D. Housestaff Contracts

The contract for each house officer in a graduate medical or dental program shall:

1. specify the specialty and sub-specialty, where applicable, and the level or Postgraduate Year (PGY), e.g., Internal Medicine PGY 1, 2, 3, or OGME-I, II, III, or Internal Medicine-Cardiology PGY 4, 5, or OGME-IV, V, etc., and the term of the contract;
2. have an attachment describing assigned duties including patient care and teaching, and the program's overall work schedules;
3. specify that the pertinent registration/permit/licensure requirements of the New Jersey State Board of Medical Examiners must have been met as a precondition of the contract;
4. contain an attachment for medical housestaff defining scope of practice of registration or permit holders as per regulations of the New Jersey State Board of Medical Examiners; and for dental housestaff, contain and define New Jersey State Board of Dentistry regulations regarding scope of practice;
5. describe benefits including vacations, professional and/or sick leave, family leave, liability insurance, health insurance and other insurance for housestaff and their families, and meals and laundry or their equivalent, consistent with hospital or University policies or the collective bargaining agreement between the Committee of Interns and Residents (CIR) and the University, where applicable;
6. in accordance with any applicable accreditation or regulations or requirements, specify whether or not extramural employment (moonlighting) is permissible; and, where moonlighting is permissible, specify that malpractice coverage is not provided by the University for moonlighting and additionally specify that the house officer must (a) have approval of the Program Director and (b) must give assurance that this activity will not interfere with responsibilities to the postgraduate program.;
7. have as attachments copies of Sections V.E (Academic Evaluation of Housestaff) and V.F (Promotion) of this policy;
8. specify that compliance with the University's Housestaff Immunizations and Health Requirements policy is required as a condition of the contract; and
9. state that "the house officer agrees that this agreement is contingent upon receipt by Rutgers of a consumer report or investigative report, as those terms are defined in the federal Fair Credit Reporting Act, deemed favorable by Rutgers."
10. state that the house officer agrees to immediately notify the School in the event of any future convictions, guilty pleas or no contest pleas to any crime, misdemeanor or other offense; and in the event of any future arrests, charges or

investigations by any law enforcement authorities or professional licensing authority”.

E. Academic Evaluation of Housestaff

1. Evaluation System

Each postgraduate program must have in place a system of evaluation used to assess the academic performance of housestaff on a continuing basis; this system must be followed uniformly for all housestaff in the program. There shall be timely feedback to housestaff, particularly with regard to any deficiencies noted. Evaluations shall be documented in each house officer's academic record.

2. Requirement of Satisfactory Progress

In order to continue in a postgraduate program a house officer must make satisfactory academic progress as determined in accordance with the postgraduate program's evaluation system.

3. Scope of Academic Evaluations

All academic matters, including the ACGME competencies and scholarly activities, as appropriate, shall be considered in determining whether a house officer is making satisfactory academic progress. ACGME competencies include patient care, medical knowledge, practice-based learning and improvement, interpersonal and communication skills, professionalism, systems-based practice, osteopathic philosophy and osteopathic manipulative medicine.

4. The University's Model Statement on Academic Evaluation of Housestaff and Procedures for Academic Dismissals of Housestaff (EXHIBIT C) should be used as a guide in the academic evaluation of housestaff.

F. Promotion

1. Criteria for promotion in each postgraduate program shall be specified, updated, documented and communicated to housestaff at the beginning of each academic year.

2. In general, a housestaff's postgraduate level is determined by the Program Director, the Department Chair and the Dean on the basis of previous training and experience.

3. In addition to fulfilling the requirement of satisfactory academic progress as specified in Section D above, housestaff must satisfy the following requirements:

a. Graduate Medical Education Programs

i. For promotion to PGY2 through PGY5, or OGME-II through OGME-V, the house officer must either have a New Jersey medical license or obtain and maintain a permit issued by the New Jersey State Board of Medical Examiners as defined in State Board of Medical Examiners Regulation 13:35-3.15 (EXHIBIT A); an unlicensed house officer who does not obtain or make application for such a permit shall automatically be terminated at the conclusion of PGY1 or OGME-I; an unlicensed house officer who fails to maintain such a permit shall be terminated upon the loss of the permit.

- ii. For promotion to PGY3 or OGME-III, the house officer must also have passed USMLE Step 3, NBOME Part III or COMLEX Level III (which replaced NBOME Part III in February 1995); a house officer who has not passed USMLE Step 3, NBOME Part III or COMLEX Level III shall automatically be terminated at the conclusion of PGY2 or OGME-II.
- iii. For promotion to any postgraduate year after a house officer has used up the five (5) year limit for registration/permit eligibility (as specified in NJSA 45:9-21d), the house officer must have a New Jersey license; a house officer whose eligibility for a permit has expired and who has not obtained a New Jersey license shall automatically be terminated at the conclusion of the last academic year of eligibility for a permit; and
- iv. Postgraduate programs have the option of requiring housestaff to obtain New Jersey licensure as a condition of promotion to PGY3 or OGME-III if eligible at that time, or to any succeeding postgraduate year.

b. Graduate Dental Education Programs

For promotion to PGY3 and beyond, a house officer must have a dental license from New Jersey or a dental license from another U.S. jurisdiction plus a New Jersey State Board of Dentistry resident permit. A house officer who has not obtained a dental license from New Jersey or from another U.S. jurisdiction plus a New Jersey State Board of Dentistry resident permit shall automatically be terminated at the conclusion of PGY2. (A house officer who has a New Jersey dental license does not need to have a resident permit).

G. Dismissal for Academic Cause

Each school shall develop, maintain and follow a defined, written process for dismissal for academic cause. The process must satisfy the requirements of fundamental fairness and must apply equally to all housestaff. The process description should include details of determination of cause for dismissal, notification, and the right to be heard. The University's Model Statement on Academic Evaluation of Housestaff and Procedures for Academic Dismissals of Housestaff should be followed as a guide in all dismissals for academic cause (EXHIBIT C).

H. Inclusion of Policy in Housestaff Manuals

Policies and procedures regarding the eligibility, selection, evaluation, promotion and dismissal of housestaff shall be included in housestaff manuals of each teaching facility sponsoring postgraduate training under the aegis of a Rutgers school and affiliated teaching hospital, or included in written materials distributed to all housestaff.

VI. EXHIBITS

- A. Regulations of the New Jersey State Board of Medical Examiners governing postgraduate training, and registration and permit requirements for graduate medical education programs in medicine (13:35-1.3 and 1.5)
- B. Statutes and regulations of the New Jersey State Board of Dentistry governing licensure requirements to practice dentistry (13:30-1.1 through 13:30-1.3)
- C. Model Statement on Academic Evaluation of Housestaff and Procedures for Academic Dismissals of Housestaff

EXHIBIT A

Regulations of the New Jersey State Board of Medical Examiners

See the following URL: http://www.njconsumeraffairs.gov/laws/BME_Regs.pdf

EXHIBIT B
Statutes and Regulations of the New Jersey State Board of Dentistry

TITLE 13. LAW AND PUBLIC SAFETY
CHAPTER 30. NEW JERSEY BOARD OF DENTISTRY
SUBCHAPTER 1. LICENSURE TO PRACTICE DENTISTRY

See the following URL: http://www.state.nj.us/lps/ca/dentistry/den_rules.htm

EXHIBIT C

February 5, 2001

RUTGERS, THE STATE UNIVERSITY OF NEW JERSEY

MODEL STATEMENT ON ACADEMIC EVALUATION OF HOUSESTAFF AND PROCEDURES FOR ACADEMIC DISMISSALS OF HOUSESTAFF

This document sets forth a model to be used in developing the procedures for evaluation of the academic performance of housestaff at Rutgers, The State University of New Jersey as well as procedures for adverse actions, including dismissal, based on such academic evaluations. (Note that throughout this document the term housestaff is used to refer inclusively to interns, residents and clinical fellows. Similarly, the term postgraduate medical/dental program is used inclusively to refer to internship, residency and clinical fellowship programs.) These procedures are not intended to be applicable to non-academic matters; procedures for dealing with non-academic discipline are specified in the University's contract with the Committee of Interns and Residents (CIR). However, all matters that are academic in nature shall be addressed via this process even if such matters have both academic and non-academic implications.

I. Definition of Academic Matters for Purposes of these Procedures

Academic matters include acquisition of knowledge related to the discipline as well as all aspects of the development of clinical and professional skills necessary for effective functioning as a health-care professional. Of particular importance as academic issues are such areas of professional development as professional ethics and maintaining professional relationships with patients, staff members, students and other health-care professionals, including subordinates, colleagues and superiors. When particular issues are of concern as both academic and employment-related, they should ordinarily be treated as academic issues. Since the academic development of housestaff is the paramount reason for the existence of postgraduate medical and dental programs at Rutgers, it is incumbent upon postgraduate program administrators and faculty to give the highest priority to and to place the strongest emphasis upon academic difficulties that housestaff may be experiencing.

II. Academic Evaluation of Housestaff

Each house officer shall be continuously evaluated for his/her academic performance as follows:

- A. Evaluations of knowledge and of clinical and professional development shall be prepared periodically by all attending staff members who interact to a significant extent with the housestaff. Evaluation forms for this purpose will be developed by the Schools, departments or programs. Standard forms developed by the appropriate specialty board or college may be utilized for this purpose. The evaluation interval shall be established by the program and shall, at a minimum, meet accreditation standards.
- B. Evaluations are to be completed at the conclusion of each rotation by the house officer's supervising attending, utilizing the School/department/ program evaluation forms.
- C. Other measures of performance to be considered in assessing academic growth include but are not limited to the following:
 1. Standardized examinations
 2. Required certifications

3. In-service examinations
 4. Quality of research, presentations, publications, etc.
 5. Success in achieving assigned goals, including remediation goals.
- D. Communications shall be documented between program director and faculty or other persons in a supervisory role. In order for such communications to be used meaningfully in evaluation, oral communications must be documented, with a copy placed in the house officer's file and another copy provided to the individual. However, documentation of such communication may occur for the first time when an evaluation form is completed.
- E. Periodic review of each house officer's progress in the program shall be conducted by the program director in which all of the above performance measures are discussed.

III. Remediation of Academic Deficiencies

In the event that academic deficiencies are identified:

- A. The program director or designee shall counsel the house officer. If counseling is conducted by a designee, the program director shall be informed in writing.
- B. When a house officer is asked to attend a personal interview for the purpose of investigating his/her performance or conduct and such interview may reasonably be expected to lead to actions that could be characterized as disciplinary in nature (such as a formal letter of reprimand, a suspension or a dismissal), written or oral notice of the interview shall be given to the Associate or Assistant Dean responsible for graduate medical/dental education and to the Committee of Interns and Residents (CIR). A CIR representative may accompany the house officer to hear the matter being discussed, but may not interfere with the interview or speak. Upon determining in good faith that the matter is academic in nature, the CIR representative should leave.
- C. The program director shall outline corrective measures and shall establish criteria and time frames for the correction of the deficiencies.
- D. The program director shall document the above interactions with the house officer in writing, with a copy placed in his or her file.
- E. The program director shall re-evaluate compliance with corrective actions as established earlier.
- F. If performance is restored to a satisfactory level, the program director will indicate this orally to the house officer as soon as it has occurred. A written notation of this interaction will also be placed in the individual's file, with a copy to the individual.
- G. If the house officer fails to correct the identified academic deficiencies to the satisfaction of the program director within the specified time frame, the program director may either extend the remediation period, using the same procedures as for an initial remediation effort, or proceed with termination in accordance with Section IV.
- H. For severe deficiencies warranting immediate termination, the program director may proceed in accordance with the steps outlined in Section IV, below.

- I. Copies of all documentation regarding academic deficiencies of housestaff should be provided to the Associate or Assistant Dean responsible for graduate medical/dental education.

IV. Termination

- A. In the event of severe academic deficiencies or failure to remediate lesser deficiencies, the program director may make the determination that the house officer should be terminated from the program. The program director should consult with a representative group from among the faculty who interacts to a significant extent with the individual.
- B. Once the program director has made the decision to terminate a house officer from the program, the director shall notify the individual in writing of the termination. Copies of this notice shall be provided to the associate or assistant dean responsible for graduate medical/dental education and to the CIR. Termination shall ordinarily become effective not less than two weeks after receipt of the written notice. The notification period may be waived at the discretion of the program director if, in the judgment of the program director, continuance of the individual in the program during the notice period would result in a risk of danger to patients or in a risk of other harm or damage either to the program itself or to other University personnel. The notification shall include the following:
 1. Reasons for dismissal
 2. Effective date of dismissal
 3. Process for appealing the dismissal

V. Appeal Process

- A. The house officer may appeal the program director's dismissal decision to an Ad Hoc Appeal Committee established as indicated in Section V.B. This appeal must be made in writing to the program director within five (5) working days of having received the notification of termination.
- B. If the house officer submits a timely notice of appeal, the director shall convene an Ad Hoc Committee of faculty members of the division, department or group of departments responsible for the program. The faculty members selected for this purpose shall be experienced faculty in the area of graduate medical/dental education. The number of members of the Ad Hoc Committee shall be large enough to be representative of the faculty of the division, department or group of departments responsible for the program but in any case shall not be larger than five (5) faculty members.
- C. The house officer may request to meet with the Ad Hoc Committee in person and be accompanied at the hearing by a faculty member or fellow housestaff who may act as an advisor. A CIR representative may be present at the hearing (but may not participate in the proceedings) only if the matter under discussion is disciplinary or has a disciplinary component, but not if the matter is strictly one of academic performance. The program director will also be present at the hearing at which time he or she shall set forth the reasons for which the house officer has been dismissed. Following the presentation, the house officer and/or his or her advisor shall be permitted to set forth whatever information the individual wishes the Committee to consider as reasons to vacate the decision to dismiss him or her.
- D. Following the hearing before the Ad Hoc Committee, the Committee will immediately confer and, after deliberations, advise the Department Chair in writing of its

recommendation and the reasons for that recommendation. The Department Chair shall render a decision, and the decision of the Chair shall be final. This decision shall be conveyed to the house officer in writing. The Chair shall provide copies of the decision to the Dean of the School and to the Associate or Assistant Dean responsible for graduate medical/dental education.