

## CORRECTIVE ACTION (DISCIPLINARY ACTION)

Corrective Action is taken to address any concern about the House Staff's performance or conduct which has not responded to Coaching or warrants Corrective Action based on the severity of the concern. Performance or conduct issues subject to Corrective Action include, but are not limited to, the following examples:

- Insufficient medical knowledge;
- Inability to apply medical knowledge effectively, whether in patient care, research, or performance of technical skills;
- Any deficiency or conduct or lack of professionalism which adversely bears on the individual's performance, such as attitude, interpersonal or communication skills, or other misconduct;
- Failure to progress or perform at the expected level of training;
- Violations of professional responsibility, applicable VUMC bylaws, policies and procedures, state or federal law or any other applicable rules and regulations.

### 1. **Initiation of Corrective Action**

There may be concerns regarding the performance or conduct of a House Staff which have not been remedied or should not be addressed solely with feedback or Coaching.

In those situations, one of the disciplinary actions listed below (Warning(s), Probation, Summary Suspension, Dismissal or Non-renewal) is initiated, depending on the nature and/or severity of the deficiency, actions, or conduct. In determining which level of intervention is appropriate, the Program Director should consider the House Staff's overall performance, including previous evaluations, Informal Counseling, Warnings, and Probationary Periods.

#### *a. Warning*

A Warning is appropriate if concerns arise or continue regarding the performance or conduct of a House Staff which are not appropriate to be dealt with by Informal Counseling. Examples of such unacceptable

Effective: 07/01/2022; Revised: 05/19/2023

Page 2 of 6

conduct/performance include, but are not limited to, failure to respond to Coaching, unprofessional conduct, poor in-service scores, or other actions that may adversely impact the health or safety of patients or others but are not serious enough to be addressed by Probation, Summary Suspension and/or Immediate Dismissal. A Warning will be given to the House Staff explaining why the conduct or performance is unacceptable, expectations for improvement of the deficiency or conduct as well as a time frame in which to meet these expectations and for re-evaluation. This letter of Warning must be documented. This will also be shared verbally with the House Staff whenever possible and the meeting documented. A copy must be given to the House Staff and the ACGME DIO.

During or at the end of the Warning Period the House Staff will meet with the Program Director or designee to advise the House Staff whether the deficiency or conduct has been corrected or whether further corrective action will be taken. At the end of the Warning period, or if the House Staff does not correct or improve the conduct or deficiency within the Warning Period, or if the same or additional conduct or deficiency occurs within that period, then the Program Director may take one or more of the following actions:

- i. lift the Corrective Action of Warning,
- ii. extend the Corrective Action of Warning,
- iii. immediately place the House Staff on Probation,
- iv. initiate summary suspension,
- v. recommend non-renewal,
- vi. recommend non-promotion, or
- vii. recommend immediate dismissal.

At any time, whether before or after the Warning Period has passed, the Chair, Program Director, and/or DIO may recommend further action.

If the House Staff wishes a review of the Warning, they must follow the process and procedures in Section V of the House Staff Manual, found below.

*b. Probation*

If a House Staff's performance, including but not limited to, academic performance, performance of duties, conduct, professionalism, or interpersonal or communication skills, falls below acceptable standards or other deficiencies exist which are not corrected by Informal Counseling or a

Effective: 07/01/2022; Revised: 05/19/2023

Page 3 of 6

Warning, or are of a serious nature such that Informal Counseling or a Warning is not appropriate, the House Staff is placed on Probation by the Department Chair, Program Director, or DIO. The House Staff will be informed in writing by the Department Chair, Program Director, or DIO that they are being placed on Probation. The notification should include an explanation of the deficiencies, performance or conduct giving rise to Probation, expectations for improvement and the time period of the Probation. The length and conditions of the Probationary Period are determined by the Department Chair and/or Program Director, after consultation with the DIO for GME. This letter of Probation must be documented. This will also be shared verbally with the House Staff whenever possible and the meeting documented. A copy must be given to the House Staff and the ACGME DIO.

The effective date of the Probationary Period will be the date of the written notification unless stated otherwise in the written notification.

During the Probationary Period, efforts are made to advise and assist the House Staff to address the performance issues and/or correct deficiencies or conduct with the goal of the House Staff successfully completing the program.

If at any time during the Probationary Period additional performance or conduct issues arise, or if the issues which resulted in the Probation continue, the Program Director may extend the Probation, recommend Nonrenewal, or move to Summary Suspension or Immediate Dismissal.

At the end of the Probationary Period, the Department Chair or Program Director determines which one or more of the following actions will be taken and notifies the House Staff and DIO:

- i. Remove the House Staff from probationary status,
- ii. Extend the probationary period,
- iii. Notify the House Staff of nonrenewal of their appointment,
- iv. Notify the House Staff of non-promotion, or
- v. Notify the House Staff of their immediate dismissal.

At any time, whether before or after the Probationary Period has passed, the Chair, Program Director, and/or DIO may recommend further action.

Effective: 07/01/2022; Revised: 05/19/2023

Page 4 of 6

If the House Staff wishes a review of the Summary Suspension, they must follow the process and procedures in Section V of the House Staff Manual, found below.

*c. Summary Suspension*

If at any time a House Staff's conduct requires that immediate action be taken to protect the health or safety of patients or others, or to reduce the substantial likelihood of immediate injury or damage to the health or safety of patients or others, any member of the Medical Staff, the Hospital Administrator on Call, or the DIO shall have the authority to summarily suspend the House Staff.

The Department Chair, Program Director or DIO may also summarily suspend a House Staff who exhibits performance or conduct that the Department Chair, Program Director or DIO deems too serious to warrant a Warning or Probation.

The Summary Suspension will be reported immediately in writing to the DIO and the House Staff's Program Director and Department Chair, with a copy to the House Staff. The House Staff will remain in paid status while on Summary Suspension.

The DIO, after review of the circumstances giving rise to the Summary Suspension and after consultation with the Chairman and Program Director, determines a course of action which includes one or more of the following:

- i. Lifting, modifying or extending the Summary Suspension;
- ii. Coaching;
- iii. Warning;
- iv. Probation;
- v. Non-promotion,
- vi. Notification of non-renewal of their appointment;
- vii. Immediate Dismissal.

Effective: 07/01/2022; Revised: 05/19/2023

Page 5 of 6

The House Staff is notified in writing, with copies to the House Staff's Program Director and Chair, of the action taken, and that they may not be present in the clinical areas or otherwise participate in work-related activities unless specifically instructed, with the exception of personal medical care and/or engagement with the Employee Assistance Program.

If the House Staff wishes a review of the Summary Suspension, they must follow the process and procedures in Section V of the House Staff Manual, found below.

*d. Immediate Dismissal*

Performance issues or conduct not resolved by a Warning, Probation, or Summary Suspension, or other serious actions or behavior may result in Immediate Dismissal. If, at any time, the Department Chair, Program Director or DIO determines that Immediate Dismissal is warranted, the Department Chair or Program Director will consult with the DIO to determine the effective date of dismissal, which serves as termination of employment with VUMC. Upon notification of the Immediate Dismissal, the House Staff is relieved of all clinical duties.

The House Staff will be notified in writing of the action taken, and they may not be present in the clinical areas or otherwise participate in work-related activities unless specifically instructed, with the exception of personal medical care and/or engagement with the Employee Assistance Program.

Any Medical Center equipment including, but not limited to, pagers, ID badges, keys, parking cards, laptops must be immediately returned upon dismissal. In addition, all access to VUMC systems and email is terminated.

If the House Staff wishes a review of the Immediate Dismissal, they must follow the process and procedures in Section V of the House Staff Manual, found below.

*e. Other Actions: Non-renewal or non-promotion*

Non-renewal of a House Staff's contract or non-promotion of a House Staff to the next level of training may be appropriate for a number of reasons, including but not limited to, insufficient medical knowledge, incompetence in patient care, lack of professionalism, inability to effectively use resources, poor interpersonal and communication skills, inability to participate in

Effective: 07/01/2022; Revised: 05/19/2023  
Page 6 of 6

practice-based learning, and or reasons related to one of the Corrective Actions above.

Written notice of non-renewal of a House Staff's contract or non-promotion of a House Staff to the next level of training generally shall be given as soon as is practicable prior to the end of the House Staff's current contract.

House Staff with questions about their promotion status should contact their program director.

If the House Staff wishes a review of the non-renewal or non-promotion, they must follow the process and procedures in Section V of the House Staff Manual, found below.

**Revisions reviewed and approved by GMEC: 05/19/2023**