

LOYOLA MEDICINE  
RESIDENT HANDBOOK  
III. POLICIES AND PROCEDURES

**III.L. CORRECTIVE DISCIPLINARY ACTION**

L.1. Introduction

Whenever the professional activities, conduct or demeanor of a resident interferes with the discharge of assigned duties or the discharge of duties of other Loyola or affiliated institution employees, or jeopardizes the well-being of patients or employees, Loyola, through its administration, reserves the right to institute appropriate corrective measures including disciplinary action up to and including termination.

L.2. Causes for Corrective Disciplinary Action

The following is a list of resident actions and behaviors, which may result in disciplinary action, up to, and including termination for the first offense. This list is not exhaustive and other actions or behaviors may lead to disciplinary action, up to and including termination.

1. Behavior that threatens the well being of patients, medical staff, employees or the general public.
2. Substantial or repetitive conduct that is considered by the resident's supervisor to be professionally or ethically unacceptable or which is disruptive to the normal and orderly function of the institution to which the resident is assigned.
3. Failure to conform to the principles outlined in the Graduate Medical Education Agreement or to the policies and procedures of Loyola University Medical Center.
4. Failure to comply with federal, state and local laws (directly or indirectly related to the medical profession.) Convictions for offenses other than minor traffic violations may be cause for dismissal.
5. Fraud by commission or omission in application for residency position or in completing of other Loyola or patient care related documents.
6. Conviction of a criminal offense related to healthcare fraud or exclusion, debarment, sanction or other declaration of ineligibility for participation in a federal or state healthcare program.
7. Suspension, revocation or any other inactivation, voluntary or involuntary, of medical licensure by the State of Illinois.
8. Continued or unexcused absence from duty assignments.
9. Absence from duty assignment without appropriate departmental consent.

10. Failure to perform the normal and customary duties of a resident as defined in the ACGME "Institutional Requirements."
11. Harassment or abuse of patients, other residents or hospital staff.
10. Failure to provide safe, effective and compassionate patient care commensurate with the resident's level of advancement and responsibility.
11. Breach or violation of patient confidentiality
12. Conduct or behavior which may cause embarrassment or bring disrepute to Loyola, its graduate medical education training program or its employees and medical-dental staff.

### L.3. Disciplinary Action

1. Initiation of disciplinary action shall be the province of the program director or the Chief of Staff. Residents may be subject to written warning, suspension or termination. Discipline may be progressive, in that it follows the order listed below. However, depending upon the severity of an incident or extenuating circumstances, discipline may begin at any stage, including termination.

2. Written Warning

The program director or Chief of Staff may issue a letter of warning to a resident in response to an identified problem. The letter will detail the situation, the action required to correct the problem, and the consequences of failing to correct the problem. A copy of the letter will be placed in the resident's departmental file and the Graduate Medical Education Office ("Central Office of Graduate Medical Education") file.

3. Suspension

Suspension is a corrective action where the resident is temporarily removed from program duties. Suspensions are unpaid; however, benefits will remain in full force during the suspension. During the suspension, the resident will not receive credit for the training time.

The program director or the Chief of Staff may initiate a suspension when he or she believes that a resident's removal from duty is in the best interest of Loyola or its patients. If necessary, residents may be suspended pending the investigation of an incident. Upon conclusion of the investigation, the resident may be:

- restored to full duty (Back pay will be awarded if the results of the investigation establish that suspension was unwarranted.); or
- terminated.

The program director or the Chief of Staff shall provide the resident with a letter detailing the reason(s) for suspension including:

- the length;
- the action required to correct the problem; and
- the consequences of failing to correct the problem.

Copies of the correspondence shall be placed in the resident's departmental file and the Central Office of Graduate Medical Education file.

No resident shall be advanced to the next PGY level or afforded a new graduate medical education agreement while on suspension. Any graduate medical education agreement signed while a resident is on suspension shall be null and void.

#### 4. Termination

If corrective disciplinary action does not improve a resident's behavior or actions or if a major violation of hospital policy or Resident policy occurs, the resident may be terminated from participation in Loyola's residency training program. Termination may occur even if the resident holds a current Graduate Medical Education agreement

The program director or the Chief of Staff shall provide a letter to the resident detailing the reason(s) for termination and the effective date.

Copies of the correspondence shall be placed in the resident's department file and the Central Office of Graduate Medical Education file.

#### L.4. Grievance of Corrective Disciplinary Action

A resident has the right to grieve disciplinary action taken against him or her. The process and requirements for filing a timely grievance are contained in the Grievance Procedure set forth in III.C of the Loyola University Medical Center Resident Handbook.

#### L.5 Applicability

Although various departments at Loyola may establish standards for the professional conduct of residents assigned to those departments, this governs all situations regarding the professional performance, conduct and eligibility to continue in the Graduate Medical Education Program at Loyola and any provisions of any departmental standards of conduct which may conflict with or be at variance with this policy shall be superseded by this policy.

GMEC Approved: October 23, 1996, April 7, 2000

GMEC Revised: April 2002

Revised: June, 2003, February 2006. March, 2007