

## **POLICY ON PHYSICIAN IMPAIRMENT**

### **PURPOSE:**

This policy addresses Accreditation Council for Graduate Medical Education (ACGME) *Institutional Requirements IV.I.2. Physician Impairment*:

*The Sponsoring Institution must have a policy, not necessarily GME-specific, which addresses physician impairment.*

### **DEFINITIONS:**

See the *NSU Graduate Medical Education Glossary of Terms* dated April 1, 2021; the *ACGME Glossary of Terms* dated April 15, 2020; as well as the *Common Acronyms/Abbreviations Used in Graduate Medical Education* last updated April 4, 2019.

### **BACKGROUND:**

Physician impairment has the potential to be injurious to patients and harmful to the trainee's education and future career plans. To address impairment as well as ensure the safety of patients and the trainee, this policy outlines and describes to the Program Directors, Trainees, Faculty, and Staff, the roles and responsibilities, procedures for identification, assessment, treatment, and potential reintegration of impaired trainees.

### **POLICY:**

**Confidentiality:** The Office of Graduate Medical Education, the DIO and the program staff and faculty will confidentially maintain all records, files and other information related to issues of impairment.

**Documentation:** All activities related to impairment are conducted pursuant to Peer Review.

**Reporting Responsibilities:** Any NSU employee, medical staff member, or resident who has reasonable concerns or significant information that patient care *is*, or could be affected by a possible trainee impairment, has the responsibility to report the concerns to the program leadership.

### **PROCEDURE:**

#### **Reporting:**

- A. All Faculty Members: Any faculty member involved in training who recognizes impairment in a trainee shall report their observations and concerns to the Program Director or DIO.
- B. Program Leadership: The Program leadership (Program Director, Associate Program Director, Advisor / Mentor or other program physicians) should remain alert to signs, information or documentation of impairment and provide first assessment/meeting with the trainee.
- C. Trainees recognizing impairment in fellow trainees must report their observations and concerns to a faculty member, the Program Director, or the Designated Institutional Official (DIO) in a timely and confidential manner. The individual making the report must state the facts leading to the suspicions.
- D. Self-Reporting: The trainee (i.e. any trainee in a NSU training program regardless of training location) will immediately inform the Program Director and the Office of Graduate Medical Education of any condition or change in status that affects her/his ability to perform assigned duties. The trainee should promptly remove himself/herself from duty and patient care.
- E. Drug Testing: Trainees are required to submit to reasonable suspicion drug and/or alcohol testing.
- F. If it is determined that a trainee does have an impairment problem, the Program Director will refer the trainee to treatment recourses offered by or clinically acceptable to Nova Southeastern University.
- G. The DIO or his/her designee shall assist and facilitate any and all processes, which may include notification of Professionals Resource Network (PRN), NSU Human Resources Employee Assistance Program (EAP), NSU General Counsel, or the Florida Board of Medicine/Florida Board of Osteopathic Medicine.
- H. Any action taken by Program Leadership or DIO which meets the requirements for reporting to the Florida Board of Medicine or the Florida Board of Osteopathic Medicine including, but not limited to, a determination that the physician poses a continuing threat to the public welfare through the practice of medicine, will be reported as required by law.
- I. Faculty, staff, and peers who suspect that a trainee physician is suffering from any impairment are obligated to report such problems.

**Documentation:**

- A. Upon completion of the investigation/assessment, program leadership should provide all departmental documentation related to the assessment, diagnosis or treatment of a trainee to the Office of Graduate Medical Education, who will be responsible for maintaining confidentiality of the copies received.
- B. The Office of Graduate Medical Education will maintain all confidential documentation for each trainee impairment case.
- C. The Office of Graduate Medical Education will maintain a confidential file that is separate from the employment file and is clearly marked "Peer Review" for each trainee. A resident's Peer Review file should contain all materials related to assessment, diagnosis and/or treatment of impairment.
- D. All referrals to the Professionals Resource Network are confidential and are evaluated by the professionals of the PRN. Decisions about intervention, treatment and after care are determined by the PRN (see attached PRN information).

**Continuation of Training:**

- A. If a trainee is reported to be impaired, the program leadership in consultation with the NSU Human Resources Department shall immediately conduct an investigation documenting all pertinent information. Program leadership may utilize the services of other appropriate professionals to help conduct the investigation.
- B. After completing its assessment of a reported issue, the Program Leadership will determine if impairment is related to physical/behavioral/mental illness issues or substance abuse. This determination will be communicated in writing to the Office of Graduate Medical Education, the DIO, and NSU Human Resources. An impaired trainee will meet with the Program Director and comply with the plan of action.
- C. It is the intent of the sponsoring institution that all appropriate rules that govern the practice of medicine be strictly enforced. As long as the trainee physician satisfactorily participates in the PRN program no regulatory action would normally be anticipated by the Florida Board of Medicine or Florida Board of Osteopathic Medicine.
- D. Resumption of patient care and training program activities will be contingent upon the continued successful participation in the PRN and continuation of the trainee in the program will be determined in consultation between the program director and the professionals at the PRN.
- E. Trainee physicians will be required to complete a return to work evaluation as directed by NSU Human Resources.

For policy statements and Florida Professional Resources information:

- NSU Employee Policy Manual - Drug and Alcohol-Free Workplace Policies - found at: [nova.edu/portal/hr/policies/dug-alcohol-free-workplace.html](http://nova.edu/portal/hr/policies/dug-alcohol-free-workplace.html) (must log in to NSU employee portal to access).
- NSU Employee Policy Manual – Drug-Free Schools and Campuses Policy - found at: [nova.edu/portal/hr/policies/drug-free-schools-and-campuses.html](http://nova.edu/portal/hr/policies/drug-free-schools-and-campuses.html) (must log in to NSU employee portal to access)
- Florida Professional Resources Network - found at: [Professional Resources Network](#)

*Initial Approval by GMEC on July 7, 2017*

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