



SCHOOL OF  
MEDICINE

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OFFICE OF GRADUATE  
MEDICAL EDUCATION

## REGULATION & BENEFIT MANUAL 2024



This regulation and benefit manual covers individuals who are undercontract with the Office of Graduate Medical Education. This includes trainees in all ACGME, ADA, and CAMPEP-accredited programs, as well as medical pre-residents (interns) in non-accredited programs.

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## Mission Statement

The mission of UNM GME is to improve the health of New Mexicans by growing the skilled physician workforce through high-quality graduate medical education. To accomplish our mission, we will:

- Maintain comprehensive GME programs that provide a structured educational framework and comply with accreditation standards.
- Facilitate the recruitment, retention, and personal and professional development of a diverse group of compassionate physicians in training.
- Foster an ethical, respectful, and inclusive environment in which physicians in training have the opportunity to excel in service, teaching, and scholarly activity to become excellent health care providers, educators, and scientists.
- Approach professional activities and education with evidence-based practice and innovation.
- Provide opportunities for residents and fellows to participate in scholarly activity, including quality improvement projects.
- Promote diversity, equity, and inclusion in all aspects of the learning environment.
- Prepare our trainees for independent practice or further subspecialty training.
- Provide interdisciplinary training experiences and promote interprofessional collaboration.
- Uphold a clinical and academic learning environment with exemplary standards of professionalism.
- Continually assess and ensure that resident education improves the quality and safety of patient care.
- Commit our training programs to provide educational experiences sensitive to the unique multicultural environment of New Mexico.
- Meet state, regional, and national needs for skilled physicians across specialty disciplines.
- Create an environment to attract UNM medical students as well as those from other states.
- Collaborate with communities and health systems throughout the state.

## **HOUSEOFFICERS AND THE UNIVERSITY**

The University of New Mexico, through the Office of Graduate Medical Education, contracts with the Houseofficers of the University of New Mexico School of Medicine training programs. All Houseofficers are required to have a current signed agreement on file in the Office of Graduate Medical Education before entering the University of New Mexico training program. Salary and fringe benefit coverage cannot be extended until a signed agreement is on file and appointment criteria have been met.

Houseofficers scheduled for duty who are unable to report (e.g., due to illness) will be responsible for informing the appropriate individual in the department and the specific rotation. If this is not carried out, it may be necessary to charge this time to Leave Without Pay or a Departmental Account. Houseofficers failing to comply with the terms of their contracts may be suspended without pay until compliance is achieved or the contractual agreement with the University is terminated.

## **BLS/ACLS/PALS/OTHER REQUIRED LIFE SUPPORT TRAINING**

Dates Approved by the GMEC: 5/2024

Original Policy Date: 6/1999

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Houseofficers are required to have appropriate training for medical emergencies.

Houseofficers may care for both adult and pediatric patients.

Interns are required to have appropriate training at the beginning of residency, as noted below. Fellows and off-schedule residents will be required to have the training appropriate for the specialty prior to entering training at UNM HSC or will obtain such training within 30 days of their start date. Each program may require additional specific training of its residents/fellows.

Certification for ACLS, BLS, or PALS can be obtained through the BATCAVE at no cost to the Houseofficer. Please call the BATCAVE at 505-272-0494 for registration. Certificates will be awarded through AHA or ASHI, depending on availability. Houseofficers must maintain certification throughout their training.

Time spent on professional training that is required by the program shall be treated as work time, and HSOs shall not be required to use vacation or leave days to complete training.

For required trainings that are not provided in-house, or do not require in-person training, UNM will pay the cost or reimburse the resident for the training. Approval for required training reimbursement must be granted and approved by the HSO's program director in writing before the resident takes the training.

### **BLS Certification**

Current training in BLS includes basic airway and cardiac management, including the use of Automatic External Defibrillators. The principles and skills involved in BLS are those that can support a patient in any clinic, private physician's office, or in a public place until more advanced ACLS providers are available. The Institution believes all Houseofficers should be capable of providing this initial care.

### **ACLS Certification**

Interns and residents in the following specialties are required to receive initial ACLS certification: Anesthesiology, Dermatology, Emergency Medicine, Family Medicine, Internal and Preliminary Medicine, Neurology, Neurosurgery, Otolaryngology, Ob/Gyn, Orthopaedics, Radiology, Surgery, and Urology.

Houseofficers who regularly participate on cardiac resuscitation teams will be required to obtain and maintain ACLS certification. Appropriate training and courses are offered through the BATCAVE.



**PALS Certification**

Houseofficers who may be required to participate in resuscitation of infants and children on a regular basis are required to maintain their PALS certification.

Specialties required to receive and maintain initial PALS certification are: Anesthesiology, Emergency Medicine, Family Medicine, Neurosurgery, Orthopaedics (residency only), Otolaryngology, Pediatrics, Surgery, and Urology.

## **GME EDUCATIONAL RESOURCES/PROGRAMS**

Dates Approved by the GMEC: 6/2024

Original Policy Date: 7/1998

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GME will track the number of hours each resident spends learning about “Residents as Educators” and “Professionalism and Learner Mistreatment”, in accordance with LCME requirements.

All Houseofficers must receive training on “Residents as Educators.” There will be introductory education during Intern Orientation with a refresher course during HO1 to HO2 Orientation. Residency programs are then responsible for additional didactic and learning opportunities with emphasis on specialty specific knowledge and skills in coordination with learner goals and objectives. For residents particularly interested in teaching, they may participate in the “Residents as Educators” workshop held during specific times through the year offered by the Office of Continuous Professional Learning. Residency programs are responsible for ensuring all residents receive program level training. Additionally, programs must ensure 100% compliance in providing that information to the GME Office.

## ADDITIONAL GME AND INSTITUTIONAL POLICIES, PROCEDURES AND EDUCATIONAL RESOURCES

Dates Approved by the GMEC: 6/2024

Original Policy Date: 7/2022

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The following curricula are in Learning Central and located at: <https://learningcentral.unm.edu/>

- BATCAVE — Various departments use the facilities offered by the human simulation lab including training in ACLS, BLS, PALS, and ATLS. In addition, various simulation modalities are available including Full Fidelity Human Patient Simulation and simulation of endoscopy procedures.
- GME Web Based Curricula — In order to provide all Houseofficers' curricula designed to address specific ACGME Competencies, so web-based modules have been developed in Ethics, Evidence Based Medicine, Patient Safety/Clinical Quality Improvement, Research Design, and Wellness.

For more information on how to use Learning Central, go to :

<https://learningcentral.health.unm.edu/learning/user/onlineaccess/Tipsheets/LearningPlan.pdf>

Additional resources available to Houseofficers:

- Office of Continuous Professional Learning — This office, as a service to the School of Medicine, offers seminars designed to assist and improve Houseofficers' teaching skills and abilities.
- Biostatistical support is provided for Houseofficers; some no-cost support may be available (as determined by the CTSC). To schedule an appointment email: [HSC-CTSCbiostats@salud.unm.edu](mailto:HSC-CTSCbiostats@salud.unm.edu)

Houseofficers can access additional GME- and institutional web resources on the following pages:

- UNM HSC Ethics <https://hscethics.unm.edu/>
- UNM HSC Policy Portal <https://hsc.unm.edu/policyoffice/>
- UNMH Policies [https://hospitals.health.unm.edu/intranet7/apps/doc\\_management/index.cfm?project\\_id=1](https://hospitals.health.unm.edu/intranet7/apps/doc_management/index.cfm?project_id=1)
- HSC Compliance Office <https://hsc.unm.edu/about/administrative-departments/compliance-office/>
- UNM HSC Privacy Office <https://hsc.unm.edu/about/administrative-departments/privacy-office/>
- UNM HSC Human Subject Research <https://hsc.unm.edu/research/hrpo/>

- The Joint Commission (TJC) <https://www.jointcommission.org/>
- UNMH Medical Staff Bylaws <https://unmhealth.org/clinical-affairs/unmhmsa/documents.html>
- ACGME RC (Review Committee) information and requirements for each specialty [www.acgme.org](http://www.acgme.org)
- UNM Environmental Health & Safety <https://ehs.unm.edu/>
- Up to Date <https://www.uptodate.com>

Each program will provide trainees information regarding their respective specialty boards. For additional information, see your Program Coordinator or review the applicable information at the specialty board's web site.

## PERSONNEL-BENEFITS

Dates Approved by the GMEC: 5/2024

Original Policy Date: 6/1999

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The UNM Office of Graduate Medical Education functions as a human resource, payroll and benefits office for Houseofficers in the training programs. Some benefits are provided through the UNM Benefits & Employee Wellness Department. Contact the Office of GME for any questions about benefits.

### Insurance

Enrollment (Medical, Dental, Vision and Flexible Spending Accounts (FSA))

Enrollment in benefits at UNM may be done when one of the following three situations apply:

1. **New Hire or Newly Benefits Eligible:** Enrollment forms and information is provided through New Innovations onboarding of any new Houseofficer. Enroll via the forms provided in your new Houseofficer orientation.
2. **Open Enrollment:** The annual Open Enrollment period is typically held in April/May. Enroll or make changes by following the instructions provided during Open Enrollment by UNM Benefits & Wellness Department.
3. **Qualifying Change in Status:** When you experience a Qualifying Life Event (QLE) outside of the other two enrollment periods, such as a new baby, loss of other health coverage, or marriage. Enroll or make changes via the forms provided on the Qualifying Change in Status page [House Officer \(Resident Physician\) Qualifying Change in Status :: Human Resources | The University of New Mexico \(unm.edu\)](#). Proof of life event required.

The initial and qualifying life event enrollment period to submit enrollment forms (along with dependent proof documentation) for review and approval by the UNM Benefits & Employee Wellness Department are as follows:

- Medical plan: 60 calendar days from hire date, coverage is effective date of hire OR from qualifying life event.
- Dental/Vision/FSA plans: 60 calendar days from hire date, coverage is effective the first day of month after enrollment form is received OR from qualifying life event.

Proof documents must be submitted for eligible dependents (spouse, domestic partner, and children). After initial enrollment period ends, your next opportunity to make enrollment changes is during Open Enrollment, unless you experience a QLE.

Enrollment in the offered UNM plans requires a monthly payment by the Houseofficer. Houseofficer's portion of a health premium or FSA contribution will be made through an authorized payroll deduction.

Dual coverage in any UNM offered medical, dental and vision plans is not permitted. Houseofficer's and their covered dependents may not enroll in multiple UNM plans. This

applies to the UNM Houseofficer plans, the UNM Student Health plan, the UNM active employee and retiree plans and UNM affiliate plans. The UNM Benefits & Employee Wellness Department manages all Houseofficer insurance benefits.

### **Medical Coverage - policy in effect 7/1/2024**

All Houseofficers, their spouses, qualifying domestic partners, and dependent children are offered medical coverage through the BCBS House Staff Custom PPO plan. For additional information on how a domestic partner qualifies, please visit <http://policy.unm.edu/university-policies/3000/3790.html>.

The BCBS House Staff Medical plan issues one (1) identification card only to the Houseofficer as the primary member. Any dependents may reference the primary when seeking medical care.

All Houseofficers must either enroll in the medical plan or provide documentation of medical coverage under another plan during their 60-calendar day initial enrollment period, which begins on their first day of program. Medical health enrollments received during this initial enrollment period will be effective date of hire. Dental and vision benefits begin the first of the month following date of hire.

See Qualifying Life Event section below for details on adding or dropping a dependent(s) Enrollment must be reported on the proper forms within 60 days of marriage, birth, adoption, or other life-qualifying event along with proof of that event. If delayed past 60 days, the carrier may not add coverage until the next open enrollment (late April/early May). Family members of a Houseofficer cannot be covered under more than one Houseofficer Health policy.

The plan must be used as described in the benefits booklet or Houseofficers will be responsible for additional charges. All incurred health care expenses not covered by insurance will be the responsibility of the Houseofficer. Additional information is available in the certificate of coverage booklet.

### **Dental Insurance**

Delta Dental PPO Point of Service plan, provided by Delta Dental of NM is offered to Houseofficer's and their dependents. Using your dental plan requires no ID card; use group # 8533-1000 and provide your UNM Banner ID in lieu of SSN at time of service.

This benefit is managed by UNM Benefits & Employee Wellness Department located on UNM's main campus. Questions, email HRBenefits@unm.edu or call 505-277-6947. See Enrollment and Qualifying Life Event sections for additional details.

### **Vision Insurance**

Vision Service Plan coverage, provided by VSP, is offered to Houseofficers and their dependents. Using your VSP plan requires no ID card, provide your UNM Banner ID in lieu of an SSN at time of service.

This benefit is managed by UNM Benefits & Employee Wellness Department located on UNM's main campus. For questions, email [HRBenefits@unm.edu](mailto:HRBenefits@unm.edu) or call 505-277-6947. See Enrollment and Qualifying Life Event sections for additional details.

### **Flexible Spending Accounts**

Houseofficers may participate in UNM's Flexible Spending Account by setting aside part of their pay on a before-tax basis. Houseofficers may set up:

- Medical reimbursement account to pay certain qualified medical, dental, prescription, vision, and hearing care expenses not covered by insurance plans, for eligible employees or their eligible dependents.
- Dependent care spending account to reimburse the Houseofficer for qualified dependent care expenses, thus reducing taxable income.

The FSA program is a fringe benefit authorized by the IRS. The FSA program year begins January 1st. This is set up by UNM Benefits & Employee Wellness; forms are available here:

<https://hr.unm.edu/benefits/fsa>.

### **Exiting Houseofficers**

In accordance with the COBRA (Consolidated Omnibus Budget Reconciliation Act) provision, Houseofficers who separate from the University GME program may elect to continue their medical, dental, and/or vision coverage for up to eighteen (18) months. The covered individual pays 102% of the premium costs. Premiums are paid directly to our UNM COBRA administrator WEX Health Inc.

Dependents who have lost their eligibility may elect to continue their medical, dental, and/or vision coverage through UNM under the provisions of COBRA. COBRA is not offered when dependents are deemed ineligible.

Dependents removed from a Houseofficer's health plan's (e.g., by divorce or aging out) may elect to obtain COBRA coverage for up to 36 months. It is the Houseofficer's responsibility to notify UNM Benefits & Employee Wellness of any such dependent changes.

### **Mandatory Healthcare Notices**

As an employer with a self-insured medical plan, UNM is required to inform benefits-eligible employees about certain rights and protections provided under Federal Law. These notices are provided to new employees at the time of hire and annually each plan year thereafter. View the current plan year here: [mandatory-notices-fy2023.pdf \(unm.edu\)](#). This packet also includes UNM's Notice of HIPAA Privacy Practices and other important information. You will only be able to make changes or elections to your benefit coverage during the Open Enrollment period. The Houseofficer's portion of the premiums are paid through payroll deduction.

### **Disability Insurance**

In accordance with Accreditation Council on Graduate Medical Education (ACGME) requirements to provide access to coverage for disabilities resulting from activities that are part of their educational program, UNM provides Long Term Disability insurance coverage. Premiums are shared between the institution and the trainee. The policy may be converted to an individual policy at the end of training. Contact the carrier office several months prior to leaving the program to arrange a conversion. Coverage is effective date of hire and enrollment is automatic.

### **Life Insurance and Accidental Death and Dismemberment**

The University provides group Life Insurance and Accidental Death and Dismemberment coverage. Enrollment is automatic, and a beneficiary should be named. For plan details and documents visit: <https://app.hsac.com/unmgme/document>

### **Pre-Tax Insurance Premium Plan**

Pre-Tax Insurance Premium Plan is available to all Houseofficers. This allows your health and benefit coverage to be deducted from your gross salary before computing taxes. Participation in the plan is automatic. If a Houseofficer does not wish to participate, he/she must decline within 30 days of the employment date. Those who wish to make changes after that date can do so during open enrollment.

### **Professional Liability Insurance**

Professional Liability coverage for the Houseofficer is provided by the State of New Mexico for the period of training. Professional Liability Insurance of the “per occurrence” & “tail coverage” type will be provided for the Houseofficer in accordance with that policy. This policy covers only activities that occur in conjunction with residency training.

No liability insurance is provided for professional activities outside the training program (e.g., external moonlighting activities) unless such activity is under the auspices of the UNM HSC SOM Locum Tenens Program.

### **Qualifying Life Events or QLEs**

The Houseofficer’s UNM-sponsored group health (medical, dental and vision) plans have a pre-tax status and are, therefore, governed by IRS regulations. Once you enroll in coverage for medical, dental, vision, or a Flexible Spending Account, Houseofficers cannot make changes to these plans outside of the annual Open Enrollment period, unless you experience a Qualifying Change in Status Event (also known as a Qualifying Life Event).

If you experience a Qualifying Change in Status Event, you have a limited window to submit enrollment changes to the UNM Benefit and Employee Wellness department. If you miss submitting an enrollment change form within the timelines noted for any of the following events, you will have to wait to make these changes during the next annual Open Enrollment period. Open Enrollment is typically held every April/May for a July 1 election change effective date.



Submission timeline for mid-year (Qualifying Change in Status) enrollment changes:

- Blue Cross Blue Shield House Officer PPO (medical): 60 calendar days from event date
  - Note: Special Enrollment rules apply if you initially waived medical coverage: 60 calendar days from event.
  - Applies only for these specific life events that result in a gain of a new dependent: birth of child, adoption, marriage , or loss of other coverage.
- Delta Dental of New Mexico: 60 calendar days from event date
- Vision Service Plan (VSP): 60 calendar days from event date
- Flexible Spending Account (FSA): 60 calendar days from event date
- Guardian Life/Disability: 60 calendar days, automatically enrolled as a new hire

Qualifying Change in Status Events include, but are not limited to, the following. Keep in mind that the change in benefits you are seeking must match the event that occurred. A change in one type of event may not allow for a change in other benefit elections. For example, if you have a child, you may not use that event to also discontinue dental coverage for a spouse.

- Birth, adoption, or gain of legal guardianship
- Marriage
- Divorce, legal separation, or annulment of marriage
- Death of employee, or of spouse or dependent
- The 26th birthday of your unmarried mentally or physically disabled child (an extension of coverage must be submitted)
- Employee or spouse employment change from part-time to full-time, or full-time to part-time, resulting in a change in eligibility
- Employee or spouse significant health coverage change attributable to spouse's employment
- Employment termination or commencement for the employee, a spouse, or a dependent
- Gain or Loss of other health coverage (including HealthCare Exchange coverage)
- Establishment or dissolution of qualified domestic partnership

**IMPORTANT NOTE:** It is critical that you submit your Enrollment Form within the designated timelines listed above for your Qualifying Change in Status Event, even if you are still waiting for your supporting documentation of the event (i.e. birth certificate/proof of birth, proof of loss/gain of other coverage from the other insurance entity, marriage certificate etc.). **Do not wait for your documentation or you risk missing your 60-calendar day deadline.**

**Workers' Compensation**

Treatment of occupational injuries is covered under Workers' Compensation Insurance. Injuries must be documented within two weeks through the submission of a Workers' Compensation Form and incident report to Risk Management. Forms are available on the UNM website. Residents working outside of the institution may also call Employee Occupational Health Services, at 505-272-8043.

## VACATION AND LEAVE POLICY

Dates Approved by the GMEC: 9/2020, 3/2022, 3/2023, 6/2024

Original Policy Date: 7/1998

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### **ACGME Standards:**

In accordance with Section IV.H. of the ACGME Institutional Requirements, the Sponsoring Institution must have a policy for vacation and leaves of absence, consistent with applicable laws, which provides residents/fellows with a minimum of six (6) weeks of approved medical, parental, and caregiver leave(s) of absence for qualifying reasons that are consistent with applicable laws at least once and at any time during an ACGME-accredited program, starting the day the resident/fellow is required to report. Among the other Section IV.H. Requirements, this policy must also provide residents/fellows with accurate information regarding the impact of an extended leave of absence upon the criteria for satisfactory completion of the program and upon a resident's/fellow's eligibility to participate in examinations by the relevant certifying board(s) (each a "Board").

### **Purpose:**

This Vacation and Leave Policy applies to all graduate medical education programs sponsored by the University of New Mexico School of Medicine (each a "Program"), including Programs at each participating site, and to residents and fellows participating in Programs (individually a "Houseofficer" and collectively, "Houseofficers").

### **Policy:**

#### **Extended Leave / Impact on Length of Training:**

The University of New Mexico School of Medicine (the "SOM") recognizes several forms of leave, as detailed in this Policy. In certain instances, a Houseofficer may need to extend his/her time in a Program in order to satisfy Program and Board eligibility requirements following a leave of absence. The Program Director, based on Program requirements and Board policies for the specialty, shall provide the Houseofficer with accurate information regarding the impact of an extended leave of absence, both for completing the Program and with respect to the Houseofficer's eligibility to participate in Board examinations. The Houseofficer taking a leave of absence remains responsible for meeting all Program and Board requirements. For all forms of leave, if a Houseofficer is appointed with a contract of less than one full academic year, leave periods will be calculated on a pro rata basis, in accordance with the length of the Houseofficer's contract.

#### **Annual Leave / Vacation:**

Annual leave/vacation ("Annual Leave") provides the Houseofficer with time for rest and restoration in order to return to residency/fellowship with renewed vitality. Houseofficers are

encouraged and expected to use their Annual Leave, as time off is beneficial for patient safety and for Houseofficer well-being.

All Houseofficers with annual contracts receive twenty-one (21) days of Annual Leave. Houseofficers are under contract each day of the contract term. Annual Leave for contract periods less than a full academic year shall be calculated on a pro-rated basis.

Vacation Days shall not supplant or replace any days off which would normally be granted on the schedule of a given service or in accordance with ACGME Work Hours' requirements and restrictions. The Programs will continue their existing practice of the configuration of weekdays and weekends. If a Program determines that this configuration practice needs to be changed due to business needs, the change will be discussed in the Labor Management Committee.

Annual Leave must be requested in writing through the Houseofficer's Program in accordance with established Program procedures and approved by the Program and the Department. Annual Leave may not be scheduled and paid during the first week of a Houseofficer's contract. Blocks of one week of Annual Leave are encouraged for Houseofficers to get an adequate amount of rest. Annual Leave may not be taken in increments of less than one week without the approval of the Houseofficer's Program Director. For off service rotations, Annual Leave requests for an increment of less than one (1) week must be approved by the Program Director of the off-service program.

Annual Leave that is unused at the end of an academic year cannot be carried forward to the new training year. If, through no fault of the Houseofficer, days of Annual Leave are unused at the end of the academic year, the Houseofficer shall be reimbursed for up to seven (7) days of unused Annual Leave by his/her Department. In no event shall a Houseofficer be reimbursed for more than seven (7) days of Annual Leave.

Programs and rotations shall plan coverage in order to allow Houseofficers to take Annual Leave, and no rotations should be off limits to vacation. As set forth below, Houseofficers have the responsibility to schedule Annual Leave in a timely manner as it may be difficult for a Program or service to secure sufficient and appropriate coverage if a request is submitted with short notice. Leave requests may not be able to be accommodated if the leave would place an undue burden on the service. Program Directors, or their designees, shall seek to approve or deny a timely submitted request for Annual Leave, within ten (10) days of the initial request.

The maximum number of days of Annual Leave from any rotation is two (2) weeks/fourteen (14) days. A Houseofficer who has difficulties scheduling Annual Leave on a rotation should contact his/her Program Director for assistance. The School of Medicine Office of Graduate Medical Education ("Office of GME") is an additional resource and can be contacted for further assistance.

**Program Directors' Policy on Annual Leave / Vacation for Houseofficers:**

All Programs and rotations shall permit Annual Leave. An Annual Leave request may be denied if it places an undue burden on the Program or service; however, a pattern by a Program or service of denying Annual Leave requests will be reviewed by the Office of GME and/or by the Graduate Medical Education Committee ("GMEC"). Programs are expected to grant Annual Leave days in line with the number of Houseofficers within the Program.

Each Program may have its own policies on the timetable necessary for requesting Annual Leave, provided that a request for Annual Leave during a scheduled off-service rotation should be submitted a minimum of sixty (60) days in advance of the requested start date of the Annual Leave and will be granted at the discretion of the applicable Program Director, or his/her designee, with notice to the Director of the Service, if applicable. Program Coordinators should communicate Annual Leave request timetables to off-service rotators' coordinators.

The following are the steps for requesting Annual Leave from off-service rotations:

- The Houseofficer initiates the Annual Leave request by submitting the request to his/her Program's Program Coordinator.
- The Program Coordinator verifies the Houseofficer's remaining available Annual Leave and obtains any required signatures or permissions from the Houseofficer's Program.
- At least sixty (60) days prior to the date of the requested Annual Leave (if submitted prior to the 60-day period), the Program Coordinator for the Houseofficer's Program e-mails the Annual Leave request to the off-service Program Coordinator, including the name of the Houseofficer, rotation dates, and requested Annual Leave dates/duration.
- The off-service Program Coordinator e-mails the Houseofficer's Program's Coordinator, a definitive approval or denial of the request, within ten (10) days of the initial e-mail request.
- The Program Coordinator for the Houseofficer's Program notifies the Houseofficer of his/her approved Annual Leave or any denial details, if for a specific reason, if the Annual Leave is denied.

**Bereavement Leave:**

Houseofficers are granted three (3) paid days per contract year for Bereavement Leave due to the death of an immediate family member or members (family members may be natural, step, adopted, or foster). For purposes of this Policy, and as defined by UNM policy, immediate family means the employee's spouse or domestic partner, children, sons- and daughters-in-law, sisters- and brothers-in-law, parents, parents-in-law, legal guardians, grandchildren, grandparents, and siblings. Houseofficers do not have the option of carrying unused Bereavement Leave from one contract year to another. In extenuating circumstances, such as distance to be traveled or settling of an estate, the Houseofficer, upon request to the Houseofficer's Program Director, shall be permitted to use Annual Leave, if available, to extend

Bereavement Leave beyond three (3) days. The Houseofficer may also be granted a Leave of Absence Without Pay.

**Catastrophic Leave:**

A catastrophic illness and/or injury is defined as a medical or mental health event experienced by an employee (including a Houseofficer), or an employee's immediate family member (spouse, domestic partner, or child) that is likely to require the Houseofficer's absence from training for a prolonged period of time.

Houseofficers shall have access to paid Catastrophic Leave not to exceed a total of sixty (60) days during the Houseofficer's Program, consistent with this Policy. Catastrophic Leave is to be used only after the Houseofficer has exhausted all available Health/Sick Leave (detailed below) and has used a minimum of fourteen (14) days of Annual Leave. Catastrophic Leave cannot typically exceed sixty (60) days. Catastrophic Leave may be used in combination with Health/Sick Leave to extend the periods of such Leave. It may also be used to support those unusual or catastrophic illnesses or injuries that would leave the Houseofficer without a salary between the end of the Houseofficer's paid Health/Sick and Annual Leave periods and the start of long-term disability coverage (90 days).

Catastrophic Leave must be requested in writing, through the Houseofficer's Program Director, to the Senior Associate Dean for Graduate Medical Education ("Senior Associate Dean for GME"). The Senior Associate Dean for GME approves Catastrophic Leave. In certain instances, the Houseofficer or the Houseofficer's caregiver may need to obtain, and submit to the Program, a statement from the Houseofficer's provider. A Houseofficer may request an extension of Catastrophic Leave for an additional thirty (30) days; extension requests are submitted by the Houseofficer through the Program Director to the Senior Associate Dean of GME. An extension of Catastrophic Leave beyond sixty (60) days requires the approval of the Dean of the School of Medicine or designee.

Catastrophic Leave is available as a one-time event per duration of the current training Program. If the Houseofficer does not use the full available Catastrophic Leave during one occurrence, and the Houseofficer has another occurrence, the Houseofficer can be paid additional time for the second occurrence as long as no more than 90 days is used during the entirety of the Houseofficer's participation in the residency or fellowship, regardless of Program. Any additional leave falls into the category of a Leave of Absence Without Pay. The Program, through the Program Director or his/her designee, shall provide the Houseofficer with accurate information on make-up time and any other impact of the Houseofficer taking Catastrophic Leave, both for completing the Program and with respect to the Houseofficer's eligibility to participate in Board examinations. Make up time for purposes of Program completion and Board eligibility is determined based on Program requirements and the policies of the applicable specialty Board.

The impact of taking Catastrophic Leave should be communicated in advance to the Houseofficer if possible or as soon as possible in situations in which the catastrophic event prevents advance communication with the Houseofficer.

**Educational Leave:**

Educational activities, including, but not limited to: presenting papers, taking state and national examinations, or attending educational seminars is permitted, with pay, if the Houseofficer receives the advance approval of his/her Program Director.

The annual allowance for Educational Leave is five (5) days. At the discretion of the Program Director, Houseofficers may be permitted to split Educational Leave time or use it as a whole unit. Educational Leave may not be carried over from one academic year to another. Educational Leave should not be used for conducting Committee of Interns and Residents, an affiliate of the Service Employees International Union ("CIR")/Union business.

**Holidays:**

Houseofficers are entitled to nine (9) holidays off per academic year with pay. The following holidays are paid holidays: Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Day After Thanksgiving Day, Christmas Eve, Christmas Day, New Year's Eve, and New Year's Day. Holidays falling on a Saturday shall be observed on the preceding Friday. Holidays falling on a Sunday shall be observed on the following Monday in accordance with UNM policy.

Houseofficers who are required to work, or to be on-call, on a holiday will be granted either alternate time off commensurate with the amount of time worked, up to a maximum of eight (8) hours, or time-and-a-half pay up to a maximum of eight (8) hours for the time worked. The Houseofficer's Program Director shall approve all requests for alternate time off or additional pay, and determine which option is granted. In the event a Houseofficer is granted alternative time off, the time off must be taken within the Houseofficer's training period, but need not be granted for the same academic year in which the holiday falls.

Since Houseofficers may participate in training at multiple institutions, the Office of GME strongly encourages alternative time off to be granted by Program Directors in the same rotation in which it occurs. It is permissible for alternative Holiday Leave to occur prior to the holiday, if it is within the same rotation period.

**Wellness:**

UNM provides each Houseofficer with a ½ day of paid Wellness Leave each quarter of the academic year for the purpose of the Houseofficer attending to his/her personal well-being. A quarter's accrual may be saved for up to an additional quarter, for use in conjunction with the next quarter's accrual, for a total of one (1) full day every half-year.

**Leaves of Absence Without Pay:**

UNM Program Directors may grant leaves of absence without pay (each a "Leave of Absence Without Pay"), at the Program Director's discretion. Time for activities such as personal courtroom appearances or personal business must be taken as either a Leave of Absence Without Pay or as Annual Leave, if available to the Houseofficer. Houseofficers are responsible for paying the full cost of their portion of health, vision, and dental premiums during a Leave of Absence Without Pay. Insurance premiums are charged at full institutional cost to Houseofficers working fewer than fifteen (15) calendar days per month. Leaves of Absence may be extended at the discretion of the Program Director, for up to a maximum of three (3) months. The Program, through the Program Director or his/her designee, shall provide the Houseofficer with accurate information on the impact of the Houseofficer taking a Leave of Absence Without Pay, both for completing the Program and with respect to the Houseofficer's eligibility to participate in Board examinations. Make up time for purposes of Program completion and Board eligibility is determined based on Program requirements and the policies of the applicable specialty Board. A Houseofficer seeking to take a Leave of Absence Without Pay shall contact his/her Program Director for specific requirements.

Houseofficers whose Leave of Absence Without Pay extends beyond three (3) months will be required to reapply for admission to the Program, should the Houseofficer wish to resume GME training at UNM.

**Parental Leave:**

UNM and its Programs recognize the legitimacy of integrating childbearing and adoption into graduate medical education training. Return to work after pregnancy or connected to pregnancy-related conditions may require clearance by the Houseofficer's medical provider.

Houseofficers receive forty-two (42) days [thirty (30) weekdays and twelve (12) weekend days] of paid Parental Leave for the birth or adoption of a child.

Paid time off may be extended with available Sick or Annual Leave, for up to a total of 8 weeks. Houseofficers may take Parental Leave any time within the first year of his or her child's birth or adoption. If both parents are Houseofficers at UNM, both Houseofficers shall be eligible to take Parental Leave at the same time or separately. Leaves of Absence without pay may be extended to bring time off (the sum of paid and unpaid leave) up to a maximum of four (4) months.

Upon request, any Houseofficer who is pregnant shall be assigned electives and rotations appropriate to their condition, to the extent possible. Changes to Program duties may include, but shall not be limited to: being relieved of exposure to disease, radiation, and chemicals, which may be harmful to the fetus and the pregnant resident; limited night call; and time off to attend personal medical visits as appropriate. Such requests shall be in conformity with the rules of the Houseofficer's specialty Board and within the constraints of his or her Program.



Programs are encouraged to consider scheduling modifications to support residents throughout pregnancy.

The Office of GME pays the usual institutional portion of the health insurance premium as a benefit during approved Parental Leave. The Program, through the Program Director or his or her designee, shall provide the Houseofficer with accurate information on make-up time and any other impact of the Houseofficer taking Parental Leave, both for completing the Program and with respect to the Houseofficer's eligibility to participate in Board examinations. Make up time for purposes of Board eligibility is determined by the policies of the applicable specialty Board and should be confirmed with the Program Director in advance of Parental Leave.

**Family and Medical Leave Act (FMLA) Leave:**

In compliance with the federal Family and Medical Leave Act ("FMLA"), UNM provides eligible employees (including Houseofficers) with up to twelve (12) weeks of job-protected leave within a twelve (12) month period for eligible family and medical reasons and/or up to twenty-six (26) weeks for Military Family Leave subject to the conditions outlined in the FMLA.

This leave is hereafter referred to as "FMLA Leave." FMLA Leave is in addition to paid Annual Leave, Sick Leave and paid Medical, Parental and Caregiver Leave afforded to employees. Houseofficers may but are not required to use Annual Leave and Sick Leave in order to be paid during FMLA leave. Health and disability insurance benefits for Houseofficers and their eligible dependents during any approved FMLA Leave shall continue on the same terms and conditions as if the Houseofficer was not on FMLA Leave. UNM will comply with all provisions of FMLA for eligible employees.

Houseofficers returning from FMLA Leave may be required to complete missed rotations in order to become Board eligible or satisfy Program requirements. UNM will compensate Houseofficers returning from FMLA Leave at the Houseofficer's current post-graduate ("PGY") level and will extend applicable benefits, including malpractice coverage to the Houseofficer. Make up time for purposes of Board eligibility is determined by the policies of the applicable specialty Board and should be confirmed with the Program Director.

**Military Leave:**

Paid Military Leave shall be granted upon presentation of official orders at a rate of three (3) weeks per academic year, consisting of fifteen (15) weekdays and six (6) weekend days per year. Military Leave is defined as leave for service into the United States Army, Air Force, Navy, Marine Corps, Coast Guard, National Guard, Air National Guard, or reserve component thereof.

In the event a Houseofficer is called to active duty by the military as defined above, the Houseofficer's position within his/her Program shall be held until the Houseofficer can return to

work. The Program, through the Program Director or his/her designee, shall provide the Houseofficer with accurate information on make-up time and any other impact of the Military Leave, both for completing the Program and with respect to the Houseofficer's eligibility to participate in Board examinations. Make up time for purposes of Board eligibility is determined by the policies of the applicable specialty Board and should be confirmed in advance with the Program Director.

**Professional Leave:**

Professional Leave is available to Houseofficers for the purpose of interviewing for employment, residency, or fellowship. Houseofficers are allowed up to eight (8) days of Professional Leave during the entire course of their Program. Leave for interviews or similar purposes beyond eight (8) days must be taken as Annual Leave or a Leave of Absence Without Pay. No payment will be made for unused time. For Houseofficers granted a Leave of Absence Without Pay, the impact of such leave will be determined in accordance with Leave of Absence Without Pay policies, above.

**Union Leave:**

Leave for CIR/union meetings and union matters may be extended to Houseofficers consistent with collective bargaining agreements that may be in effect from time to time between UNM and unions representing Houseofficers.

**Sick / Health Leave (including Caregiver Leave):**

Houseofficers with annual contracts receive twenty-one (21) days of paid Sick/Health Leave (typically consisting of fifteen (15) weekdays and six (6) weekend days) which may be used during the contract term for the purpose intended. Sick/Health Leave must be documented in writing through the Houseofficer's department, on approved leave request forms. The Sick/Health Leave policy is established in order to protect the Houseofficer from threats to the Houseofficer's own health (including to allow the Houseofficer to attend routine medical, mental health, and dental appointments scheduled during working hours), for bona-fide medical conditions, and to prevent patient exposure. Routine appointments should be scheduled with as much advance notice as is reasonably practicable to allow the Program to arrange coverage. Absence from work to care for an ill or injured member of one's immediate family (spouse, domestic partner, children, parents, and grandparents) may be charged to Sick/Health Leave and should be done in advance of the leave if possible. For absences longer than three (3) days, a doctor's note may be required at the discretion of the Program Director. Unused Sick Leave may not be carried forward to the next training year and no payment will be made for unused time. Make up time for purposes of Board eligibility is determined by the policies of each specialty Board and should be confirmed in advance with the Program Director when appropriate and possible.

Houseofficers diagnosed with or suspected of having the following infectious diseases should return to work through Employee Occupational Health Services for medical clearance: acute viral conjunctivitis, acute diarrheal disease and Salmonella infection, acute hepatitis A, vaccine-preventable viral diseases, pertussis, influenza, scabies, Group A streptococcal infection, tuberculosis, herpetic whitlow, varicella, and shingles. Houseofficers should follow current hospital policies regarding return-to-work after COVID-19. Note: This list is not comprehensive. Certain diagnoses may preclude the Houseofficer from working with immunocompromised patients. Houseofficers should contact Infection Control via TigerConnect on return-to-work questions or procedures. Special provisions may apply to Houseofficers with acute or chronic Hepatitis B and HIV. UNM reserves the right to request a physician statement of fitness to return to work.

**Patient Care and Coverage Policies:**

Programs must permit Houseofficers who are unable to perform their patient care or educational responsibilities, including due to fatigue, illness, family emergencies, and medical, parental, or caregiver leave, to take appropriate leaves of absence in accordance with this Policy. Programs must have policies and procedures in place to ensure coverage and continuity of patient care. These policies and procedures must be implemented in a manner without the fear of negative consequences for the Houseofficer who is or was unable provide the clinical work. All Programs are required to comply with this Policy and with applicable ACGME Common Program and Specialty/Subspecialty Requirements on leaves of absence.

**Medical, Parental, and Caregiver Leave:**

In accordance with Section IV.H. of the ACGME Institutional Requirements, the above UNM GME Policies for vacation and leaves of absence provide residents/fellows with a minimum of six (6) weeks of paid, approved medical, parental, and caregiver leave(s) of absence for qualifying reasons that are consistent with applicable laws at least once and at any time during an ACGME-accredited program, starting the day the resident/fellow is required to report.

- Medical and Caregiver Leave: As noted above, all Houseofficers are eligible for three (3) weeks (21 days, including 15 weekdays and 6 weekend days) annually for Sick/Health Leave. Sick/Health Leave may be used by a Houseofficer for the Houseofficer's own medical/mental health leave and may also be used by a Houseofficer for caregiving for an immediate family member. In addition to the three weeks of Sick/Health Leave, all Houseofficers have access to up to 60 days of paid leave in the form of Catastrophic Leave, which may be used for their own medical/mental health concerns as well as for caregiving, and up to an additional 30 days with approval of the Dean. The availability to Houseofficers of the combination of these two leave types – Sick/Health Leave and Catastrophic Leave – exceeds the ACGME requirement for a minimum of six weeks of paid, approved medical or caregiver leave.
- Parental Leave: As noted above, all Houseofficers are eligible for six(6) weeks (42 days,

including 30 weekdays and 12 weekend days) of dedicated, paid Parental Leave for the birth or adoption of a child. All Houseofficers are allowed to extend leave by two (2) weeks (10 weekdays and 2 weekend days), utilizing Health/Sick Leave and/or Annual Leave for additional Parental Leave, for a total of eight (8) weeks paid Parental Leave. All Houseofficers have three (3) weeks of Sick/Health Leave (15 weekdays and 6 weekend days) and three (3) weeks of Annual Leave (21 days) available annually. The availability to Houseofficers of the combination of these leave types –Parental Leave,, Sick/Health and Annual Leave, satisfies the ACGME requirement for a minimum of six weeks of paid, approved parental leave.

- Houseofficers are not required to exhaust, and are allowed to reserve, at least one week of paid time off (Annual Leave) for use outside of the first six weeks of the first approved medical, parental, or caregiver leave(s) of absence taken. The one week of reserved Annual Leave is available within the appointment year(s) in which the first six weeks of approved leave is taken for medical, parental or caregiver purposes.

**Oversight:**

To fulfill institutional oversight responsibilities, the GMEC, through the Office of GME, will monitor Program implementation and compliance with this Policy. The GMEC encourages Houseofficers to raise concerns about Annual Leave and other leaves of absence, including Medical/Parental/Caregiver Leave, through one of the following mechanisms: contact the DIO or the GME Office at [gmeoffice@salud.unm.edu](mailto:gmeoffice@salud.unm.edu).

Additionally, this Policy is available at any time in the GME Office for review by Houseofficers.

**References/Associated University-Wide Policies:**

- Collective Bargaining Agreement (CBA) by and between UNM and the Committee on Interns and Residents (CIR) dated January 23, 2024.

UNM Office of Graduate Medical Education: *Policy on Houseofficer Impairment*

## MEDICAL CLEARANCE AND IMMUNIZATIONS POLICY

Dates Approved by the GMEC: 6/2024

Original Policy Date: 7/1998

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### **Medical Clearance:**

Houseofficers must be medically cleared to begin clinical work. This must be completed by orientation. Medical Clearance will be done by the Employee Occupational Health Service (EOHS). Until notification is received from the EOHS that the Houseofficer has been cleared, he/she will not be allowed to begin clinical work. This is in accordance with HSC policy.

Houseofficers are also required to document immunity to Hepatitis B and varicella via titers. A history of having varicella is not sufficient documentation of immunity. Additionally, all Houseofficers must be up to date on their immunizations prior to and during residency training.

### **Annual Influenza Vaccination**

Houseofficers are required to receive the influenza vaccination yearly, unless medically contraindicated. Beginning in October, influenza vaccinations are available at Employee Occupation Health Services and locations to be announced in University Hospital and at the VAMC.

### **COVID Vaccinations and Booster:**

At the time of this policy update, COVID vaccinations and boosters are strongly recommended but not required by the University of New Mexico Health. The Raymond G. Murphy VAMC continues in Albuquerque requires proof of COVID vaccinations and boosters. Refer to current policy at each health system for updated information.

### **Hepatitis B Vaccine/Varicella/Measles/Influenza:**

These vaccines are offered at no cost to Houseofficers. All Houseofficers must have had proof of being immune to Hepatitis B and Varicella (i.e., titers) in accordance with UNM HSC requirements. Houseofficers must be up to date on all immunizations including and not limited to measles, mumps, rubella, pertussis, tetanus, and diphtheria.

Houseofficers must also be immune to varicella through documentation of vaccination (two doses for adults) or with serology performed after vaccination or clinical varicella. Houseofficers are required to maintain appropriate immunizations. This must be up to date prior to starting clinical work at UNM and its affiliated hospitals and clinics.

### **HIV/Hepatitis C/Hepatitis B:**

Houseofficers should be aware that state law governs the practice of physicians with HIV and varies from state to state. CDC recommendations concerning the practice of physicians with chronic Hepatitis B and C must be followed. As yet, no state has elected to regulate the practice of physicians with Hepatitis C.

The Centers for Disease Control and Prevention recommend strict adherence to Standard Precautions as outlined in the OSHA Blood borne Pathogen Standards as the best way to prevent transmission of blood borne pathogens from infected health care workers to patients as well as the infected patient to providers

In New Mexico, HIV-seropositive physicians who perform “exposure-prone procedures” must report their HIV status to the New Mexico Board of Medical Examiners. Consultants from the Department of Health, the physician’s specialty, and Infectious Diseases will then review the physician’s practice and clinical status and determine whether he/she may continue practicing as before or should be restricted in the scope of his/her practice. “Exposure-prone procedures” are defined as procedures that create a risk of the provider sustaining an injury and bleeding into the patient, such as palpation of a needle tip in a body cavity. Such procedures may occur in, but are not limited to, surgical and dental fields.

Houseofficers who are HIV-positive should seek advice from their HIV physician as to whether it is appropriate for them to disclose their HIV sero-status to their Program Director based on their clinical status, training program, and need for practice modification under State Law.

Houseofficers with chronic Hepatitis B and C who perform invasive procedures should seek expert consultation with Hospital Infection Control via TigerConnect, coordinated through their residency Program Director, on how to prevent the transmission of disease to patients.

In the event of an acknowledgment of an infection such as HIV and Hepatitis C, the Houseofficers should be expected to be counseled as to career effects; limitations, precaution, options, expectations, liabilities and position of the Department and Institution. This counseling will be provided by a committee that is to include the Program Director, a mentor/advocate (selected by the Houseofficer) and the Infection Control Physician for the Institution. The Chair of the Committee will be the Senior Associate Dean of GME or designee.

#### **Tuberculosis Testing/TST/N-95:**

New Houseofficers must provide a negative TB test by QuantiFERON Gold testing or receive this test during their orientation activities. Only Houseofficers with proof of prior positive tuberculosis testing may be excluded from this requirement, but they will be required to complete follow up as deemed appropriate by EOHS.

N-95 respirator training and fit-testing is provided at new Houseofficer orientation for all incoming Houseofficers. Thereafter, respirator fit-testing is required per the prevailing regulation at that time.

Program Coordinators will be responsible for ensuring all Houseofficers comply with fit-testing requirements. After orientation, any further required respirator fit-testing will be provided through group sessions or individual appointments arranged by the programs. New Houseofficers not medically cleared or fit-tested at orientation may contact Employee Occupational Health Services at 505-272-8043.

## MISCELLANEOUS BENEFITS POLICY

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### **Call Rooms:**

Monitored and secured call rooms are available in University Hospitals and in the Barbara and Bill Richardson Pavilion. Call rooms will be located near bathroom and shower facilities and readily accessible to patient care areas. Call rooms will be equipped with computers with intranet and internet access or intranet terminals and telephones.

Call rooms will be cleaned and provided with adequate linens by housekeeping staff seven days per week. Houseofficers must recognize they share responsibility for living and working conditions in the on-call rooms and will cooperate in keeping the environment clean, free of unnecessary clutter, and otherwise attractive for themselves and their colleagues.

Houseofficers who have disabilities, as defined by CEEO (and University Policy 3110), can obtain access to a handicapped call room by contacting the Office of GME.

### **Computer Services:**

Electronic medical record training and services are available through University Hospital. If you are on an HSC computer, you may also go directly to the IT webpage for assistance with a computer matter. <https://hsc.unm.edu/about/cio/user-support/>

E-Mail accounts are established as part of orientation for those who start at a scheduled orientation date. Others who start on a date that is not a scheduled orientation time will be required to obtain an e-mail account through their Program Coordinator. University email is the primary means of electronic institutional communications with Houseofficers, including communications from the Office of Graduate Medical Education. Houseofficers are expected to regularly check their University e-mail accounts (daily when on service) for such institutional communications. To establish an e-mail account or information on services available on the medical campus, contact the Health Sciences Center Computer Services Help Desk, 505-272-1694.

One-on-one, customized, Power Chart training is available through [powerchartsynergy@salud.unm.edu](mailto:powerchartsynergy@salud.unm.edu).

Services include on campus facilities with access to shared-system computers, international computer networks and microcomputers. Houseofficers are expected to comply with UNM UAP Acceptable Computer Use Policy 2500.

**Living Quarters:**

Living quarters, routine meals, and laundry for personal items are not provided. See section on call rooms.

**Loans:**

Loans from various sources are available to Houseofficers:

- UNM SOM Alumni Association (505) 272-5700
- American Medical Student Association/Foundation (800) 767-2266
- Nusenda Credit Union (505) 889-7755
- Physician Services Association (800) 241-6905

**Emergency Loans:**

Houseofficers with signed contracts are invited to apply for 90-day interest-free loans. These loans assist with unexpected expenses. Houseofficers can apply for

Emergency Loans for up to \$500 by contacting the Office of Advancement and Alumni Relations at (505) 272-5700.

**Fitness Facilities:**

The Wellness Center in the Domenici Center-West building is open to all Houseofficers. Houseofficers will need their badges to gain access to the building and the Wellness Center.

There are showers and lockers available at the Wellness center for Houseofficers while they are using the Center facilities. The HSC Wellness Center is open 24/7. Those who hold a UNMH/HSC Security-issued badge can access the Center through the east side doors of Domenici Center West. <http://hsc.unm.edu/about/wellness/>

Additionally, the 6 Middle space in the main hospital contains a gym facility open to Houseofficers 24 hours per day. Access is by badge. All who use the Houseofficer Gym are responsible for appropriate use of the equipment.

Houseofficers must recognize they share responsibility for living and working conditions in the Gym and will cooperate in keeping the environment clean, free of unnecessary clutter and otherwise attractive for themselves and their colleagues. Towels will be provided in the shower room and in the gym room.

Houseofficers additionally have access to health and fitness facilities and classes through UNM's Johnson Gym. More information can be found at: <https://recservices.unm.edu/>

**Meditation Room:**

The Meditation Room is available to all Houseofficers on 3 Middle in the main hospital. The Meditation Room is meant to be a quiet space away from clinical areas. Yoga mats are available for those who wish to make use of the floor space. The room has a badge entry access.



Houseofficers must recognize they share responsibility for living and working conditions in the Meditation Room and will cooperate in keeping the environment clean, free of unnecessary clutter and otherwise attractive for themselves and their colleagues.

**Mileage:**

The mileage rate that may be claimed when using a privately-owned vehicle for University Business is set by the New Mexico Per Diem and Mileage Act. Houseofficers who are required to use their personal vehicles for rotations greater than 50 miles away from UNM may claim travel mileage when driving to and from their training sites for business purposes.

The rates of reimbursement are in accordance with University Policy. Houseofficers may not claim mileage reimbursement for other incidental travel within the location of their training site. Mileage will be determined using the UNM standard travel distance between cities. Program Directors will approve travel reimbursement.

**Pagers:**

Each Houseofficer will be provided with a text messaging pager during employee orientation or within the first week of employment by their department. All pagers shall be returned at the end of training.

**Parking:**

All Houseofficers are provided safe and secure parking by University of New Mexico Hospital at Lomas Parking Structure. Houseofficers are allowed to park on the 2nd level ramp and levels above of the designated parking structure in parking spaces for "Employee and SOM parking".

Residents on clinical rotations near UNM facilities off University Blvd, such as the UNM Comprehensive Cancer Center (CCC), Outpatient Surgery and Imaging Services (OSIS), or Office of the Medical Investigator (OMI), may park in Land's West Parking off University Blvd.

Applications for University of New Mexico Hospital parking lots are available at Parking Services, located on 1601 Lomas Blvd, NE. For directions, call UNMH Parking and Transportation at (505) 272-4074. Payment is made at deeply discounted rate on an annual basis. If you need an escort to your vehicle after hours, please call UH Security at (505) 272-2160. The University of New Mexico and University Hospital closely monitor parking.

You are strongly encouraged to park in appropriately designated areas. Failure to do so will result in parking tickets and possible towing. Parking tickets should be handled at once in a professional and responsible manner before the situation escalates to booting and/or towing. University parking lots are paid parking only. Individuals parked in lots without an appropriate visible permit may be fined and towed.

Parking at the Veteran Administration Medical Center is administered by the VA facility. Houseofficers are allowed to park on the East parking lot, or if already full, in the South parking lot behind the Air Force Clinic and clinic parking lot. A parking sticker must be present on the

vehicle to park in these lots. There are “on call” placards that may be used by Houseofficers who are on call.

When a Houseofficer works an outside or away rotation that does not provide free parking to employees, UNM shall, upon presentation of a receipt(s) from the parking garage of the medical facility, reimburse the Houseofficer for all parking expenses accrued during the rotation. Receipts and the rotation schedule must be submitted in a timely manner in order to receive parking reimbursement.

Bicycle parking in lockers is available through UNM Parking and Transportation services. There is typically a waiting list. Contact Parking & Transportation Services via email at [parktran@unm.edu](mailto:parktran@unm.edu) with your name, Banner ID, and bike locker location in which you are interested to get on the waitlist. Bike locker locations can be found at <http://pats.unm.edu/maps/index.html>.

**Uniforms:**

Departments will provide white coats and laundry of these coats. The linen room is on the second floor of the University Hospital where residents must register to get access to scrub machines. Scrubs are available to all Houseofficers at machines located at designated locations in the hospital.

**Veterans Educational Assistance:**

Application forms for benefits under the GI Bill are available through UNM Graduate Medical Education. The certifying official is also in this office.

## CONFIDENTIAL COUNSELING AND OTHER SUPPORT SERVICES POLICY

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### Confidential Counseling and Other Support Services

The University recognizes that residency may be an increasingly stressful time. Support is available through the following resources. All resources are confidential, and none are reported to your program. Please reach out to the Office of Professional Wellbeing <https://hsc.unm.edu/medicine/about/well-being/>, your Program Director, Program Coordinator, or the GME Office and Sr. Associate Dean of GME at 505-272-6225, if you need assistance with accessing these resources. Additional resources may become available after publication of this manual; please contact the Office of GME or the Office of Professional Wellbeing for any questions about current resources.

#### For acute mental health needs:

- UNM [Psychiatric Emergency Services](#). 24 hours/day, 7 day/week – confidential care. 505.272.9038
- [Agora Crisis Center](#) – Hotline staffed by trained specialists – 505.277.3013. Via their website, you can also find information for a chat [hotline](#)
- [National Suicide Awareness Hotline](#) – 24/7 free and confidential support – 800.273.8255 and crisis text line (text home to 741741).
- [New Mexico Crisis and Access Line](#) (NMCAL)– 24/7 free and confidential support – 855.662.7474.
- [Outcomes](#), one of our UNM partners, has a 24/7 access line for all UNMH employees, as well as SOM residents and fellows. 505.243.2551.
- [The Trevor Project](#) Providing 24/7 crisis support to lesbian, gay, bisexual, transgender, queer & questioning (LGBTQ) young people under 25. 1-866-488-7386.
- [Interactive Screening Program \(ISP\)](#) – confidential self-assessment to gauge your well-being and speak anonymously with a counselor

#### Counseling Resources:

- Psychiatrists and psychologists are available for confidential assessment and treatment through the Office of Professional Wellbeing for all Houseofficers; view contact information for currently available providers at <https://hsc.unm.edu/medicine/about/well-being/wellness-mental-health-resources/mental-health-and-counseling.html>
- Outcomes, Inc. – Provides short-term counseling, education, and prevention, and is available to all Houseofficers and their families. Contact them at 505-243- 2551; more information is available at [www.OutcomesNM.org](http://www.OutcomesNM.org). Access to Outcomes is a benefit provided free of charge to the Houseofficer or their family member.
- Dept of Psychiatry Faculty Clinic: 1:1 brief, confidential wellness checks with

psychologists. Call the clinic coordinator at (505) 272-6130 to schedule.

- The Vassar House – part of the [Women’s Resource Center](#) – call for phone or on-line counseling - to schedule appointments and for more information e-mail [wrcservices1972@unm.edu](mailto:wrcservices1972@unm.edu)
- CARS — Counseling, Assistance and Referral Service through UNM Main Campus functions directly, or through referrals, for short-term counseling and support, as well as referrals for those who need longer-term assistance. (505) 272-6868
- Dr. Summer Hayek, PhD, Learning Specialist, is available for GME learners to help assess difficulties in test-taking, time management and study skills. Contact her at [shayek@salud.unm.edu](mailto:shayek@salud.unm.edu).

**On-line resources:**

- [Interactive Screening Program](#) (ISP) – confidential self-assessment to gauge your well-being and, if indicated, have an opportunity to speak anonymously with a counselor
- SHAC has [Therapy Assistance Online](#), a great self-help resource available to anyone with @salud.unm.edu or @unm.edu address. This resource allows people to self-assess and participate in multiple curricula related to behavioral health issues such as anxiety, depression, stress.
- Institute of Medicine’s [website](#) of resources to support the health and well-being of clinicians during COVID-19.
- UNM Campus Climate [website](#) also provides information on a wealth of campus resources.
- The [Greater Good Magazine](#) – a website from UC Berkeley looking at the science of how to live a more meaningful life. Sounds hokey, but great resources for self-assessment and self-care.
- [Stanford Well MD](#) – offers a great resource on physician wellbeing, links to other resources, self-assessments, and more.

Please see the [Office of Professional Wellbeing](#) website and the [UNM Mental Health](#) website for resources in addition to those posted above.

## **PAYROLL AND EMPLOYMENT POLICY**

Dates Approved by the GMEC: 6/2024

Original Policy Date: 7/1998

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### **Payroll**

Houseofficers are paid on the last business day of each month. Houseofficers are eligible for membership in the Nusenda Credit Union, the local institution for those employed in the education sector. which has a branch not far from University Hospital. Your UNM paycheck will be electronically deposited at your bank's checking or savings accounts.

### **Payroll Advances**

New Mexico state law prohibits the University of New Mexico from making payroll advances.

### **403(b) Plan**

In order for Houseofficers to begin developing their personal retirement funds, the University has tax-deferred plans, which include IRA and IRA Roth accounts available. For information, regarding participating plans and enrollment instructions, please contact the Office of Graduate Medical Education 505-272-6225 or the UNM Payroll Department at 505-277-2353. Employer does not match funds.

### **Student Loan Deferments**

Many loans that Houseofficers received as students may be deferred for periods of time while in an accredited training program. Contact your lender to request the appropriate forms. All forms requesting deferment can be signed by your Program Coordinator.

### **Employment Verification**

All requests for verification related to credit applications, mortgage loans, loan deferment, and educational training should be directed to the Office of Graduate Medical Education to expedite their return. The Sr. Associate Dean for GME on behalf of the institution delegates the responsibility for all verification of training dates, as well as other verification of resident data, to the Senior Operations Manager of GME.

## FOOD SERVICE (MEALS) ON CALL/IN HOUSE

Dates Approved by the GMEC: 6/2024

Original Policy Date: 7/1998

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Food is available 24 hours per day/7 days per week through the cafeteria, on-call refrigerators, vending machines or through private vendors. For information about the location of the refrigerators in on call rooms, please contact the GME office at (505) 272-6225, Program Coordinator, Program Director, or your Chief Resident.

On-call meals for Houseofficers will be provided at the University Hospital, Mental Health Center, Christus St. Vincent (Family Medicine Santa Fe Houseofficers) and at the Veterans Administration Hospital as a benefit.

University hospital meal funds are electronically distributed using the UNM HSC ID badge magnetic strip and are for use by Houseofficers only. The credit can be redeemable at the cafeteria located on the 2nd floor of University Hospital and at the Happy Heart Bistro in the lower level of the Domenici West Building. Amounts for meal funds are set by the Collective Bargaining Agreement between UNM and CIRSEIU.

Cafeteria funds will be allotted in annual sums and may roll over from one year to the next. Prorated amounts will be allocated to those working less than an academic year.

Refrigerators in the following locations shall be stocked with adequate meals seven days per week for those on call overnight who were not able to access food in the cafeteria:

- 4-West: Physician Work Room #482
- 6th Floor Main: Resident Hall Room- Kitchen #6015 (use Stairwell #8 on 5th floor to access this 6th floor location).
- 1st Floor BBRP: Attending Dr./Resident Call Room (Next to ER entrance), On-Call Room #1301
- TSI: Team Room #2132
- Labor & Delivery: Resident Work Room #4119
- Tully: Child Life Kitchen #6430
- Anesthesiology Call-Room: 2nd Floor Main Resident Work Area (No room#)
- Mental Health Center Resident Room

Meals at the VA are located in the 5th floor conference room or may be preordered from the cafeteria each day by the individual Houseofficer.

Graduate Medical Education and Program Coordinators are not responsible for lost or stolen identification badges once they have been distributed to Houseofficers. The Houseofficer should go to the badge office on the first floor of UNMH for assistance.

## **GME WELLNESS INITIATIVES AND THE OFFICE OF PROFESSIONAL WELLBEING**

Dates Approved by the GMEC: 6/2024

Original Policy Date: 7/2020

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The mission of the SOM Office of Professional Wellbeing (OPW) is to promote a deeper understanding of clinician and faculty well-being and its importance in providing the highest quality of patient care, and to collaborate with colleagues to develop and assess the impact of individual and institutional wellness interventions.

Residency and fellowship programs and individuals can arrange for consultations with Dr. Elizabeth Lawrence, MD or Dr. Kristina Sowar from the Office of Professional Wellbeing.

More information about UNM's Wellness Initiatives can be found at:

<https://hsc.unm.edu/school-of-medicine/education/wellness/index.html>.

## LACTATION SUPPORT

Dates Approved by the GMEC:6/2024

Original Policy Date: 7/1998

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In keeping with UNM University Policy 2750, "Lactation Support Program,"  
<https://policy.unm.edu/university-policies/2000/2750.html>:

Upon request, a Houseofficer who wishes to provide breastmilk for their child/children will be provided with logistical and programmatic support for pumping (or feeding their child). Lactating people have a physiological need to express milk every 2-3 hours. Thus, programs must support Houseofficers with structure to break for lactation and adequate space. Programs are encouraged to create arrangements where lactation time does not contribute to extra work or duty hours for Houseofficers. This may be achieved with additional faculty support, clinic scheduling, or other relief to support this opportunity.

UNMH offers lactation stations for Houseofficers, as well as UH employees, to continue supplying breastmilk for children after their return to work.

There are multiple lactation stations available. These are restricted access and have refrigeration available. An updated list, which includes contact information for gaining access to these rooms, is posted on the UNMH Lactation Services website (<https://hospitals.health.unm.edu/intranet/Lactation/index.shtml>, use the "Resources" tab at the top and then "Employee Resources" tab in the middle). At the time of publication of this manual, this is the current listing of UNMH and clinic sites:

- BBRP: 3rd Floor near Newborn Clinic UH Main: 4th Floor near 4-West
- UNM Children's Psychiatric Center: Cimarron Clinic Building, Room 114 UNM
- Adult Psychiatric Center: 1st Floor IOP General Area
- HOPE Building (933 Bradbury): Room 3999 (near CLT classrooms)
- OSIS: Surgery Area
- Carrie Tingley Hospital (Outpatient): Room 3013B
- Clinical Education (1650 University): Clinical Education Department, 1st Floor

Additional locations on the UNM campus (including North Campus locations) can be found at <https://map.unm.edu/> along with other areas of interest.

VA: The lactation room is on 3A. Immediate key access is available from the nursing supervisor on the 3A ward, the hospital nursing supervisor, or the hospital administrator on duty. Residents/fellows who wish to be issued a key of their own should contact the office of the VA Designated Educational Official at 265-1711, extension 4804.

For additional information see: <https://women.unm.edu/services/breastfeeding-support-program.html>

UNM Policy regarding Lactation Support: <https://policy.unm.edu/university-policies/2000/2750.html>



## MEDICAL EDUCATION BENEFITS POLICY

Dates Approved by the GMEC: 5/2024

Original Policy Date: 7/1998

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### **Educational Funds:**

Each clinical department has education funds for Houseofficers. Houseofficers will receive no less than an amount determined by the collective bargaining agreement for the use of books, journals, New Mexico full licenses, electronic media and equipment, board exams, educational electronic media and equipment, including computer, laptop, cell phone, digital (smart) watch, computer monitor, or ear buds, board review programs, conference registration and travel, and work-related medical equipment or accessories which may be approved at the discretion of each department.

Any computer or digital device purchased with UNM funds must comply with UNM HSC IT Security Policies. It is the responsibility of each individual to follow the standards and requirements established by their department as well as all data owners regarding the handling and protection of HSC information assets. HSC IT Security Policies can be found at <http://hscapp.unm.edu/intranet> under Productivity and following the links for the HSC and UNMH Policies and Procedures.

Houseofficers should not purchase any of the individual aforementioned types of digital equipment more frequently than once every fiscal (academic) year. If approved by the department, all of the above digital educational equipment shall be retained by the Houseofficer on completion of residency. The reimbursable purchase price of any individual digital item must not exceed \$1000.

Unused educational funds may be carried forward from one year to the next. Program Directors must approve the specific utilization of educational funds.

## TUITION REMISSION

Dates Approved by the GMEC: 8/2021, 5/2024

Original Policy Date: 2007

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Regular full-time Houseofficers shall be eligible for payment of tuition at the University of New Mexico for up to 18 credit hours per semester (8 credit hours in summer) based on main campus graduate student rates. Tuition remission/payment may be used toward furthering medical academic education in the Masters in Clinical Research program, Masters in Public Health, Masters in Business Administration, Masters in Education, or other related masters, or any course approved by the institution which demonstrates or adds to the knowledge base of any of the ACGME Clinical Competencies (Patient Care, Medical Knowledge, Professionalism, Interpersonal and Communication Skills, System Based Practice and Practice Based Learning and Improvement) and which leads to the successful completion of an ABMS certification by meeting accreditation requirements not otherwise fulfilled by the program.

To be eligible for tuition remission/payment, Houseofficers must successfully complete these courses for academic credit toward a terminal or advanced degree in a health- related field or be ACGME Clinical Competency courses as outlined above. Reimbursement will be provided through submission of receipts as soon as signup for the courses occurs. GME will make a good faith effort to reimburse Houseofficers within thirty days. If the Houseofficer does not complete the course, they will reimburse the Office of GME within a week of non-completion. Proof of successful completion of the course shall be provided to GME. Those who do not provide documentation of successful completion of coursework will not be eligible for further reimbursement until they comply. Benefits do not extend to spouses or dependent children.

## **RELIGIOUS PRACTICES AND OBSERVATIONS POLICY**

Dates Approved by the GMEC: 6/2024

Original Policy Date: 7/1998

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The University of New Mexico believes that all Houseofficers have the right to pursue their religious beliefs during their medical residency training. UNM Programs should attempt to reasonably accommodate these beliefs and practices by making adjustments to schedules that honor the Program's commitment to the integrity of its educational curriculum and patient care and does not burden the faculty or affect the general residency population involved in that educational activity. The Houseofficer who is excused from a scheduled educational activity because of religious observance will be required to make it up at another time. Each institution may have its own policies on the observations of religious practices and accommodation. Residents are subject to the rules of each institution to which they rotate.

## SAFETY AND SECURITY POLICY

Dates Approved by the GMEC: 5/2024

Original Policy Date: 7/1998

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UNM Health and the affiliated hospitals will make efforts to provide a safe and secure work environment. Call rooms at the VAMC and UH are equipped with panic buttons in each sleeping room. The call rooms on the 6th floor of UH are accessible by Houseofficers' UNM HSC ID badge. The hallways are monitored, and the call rooms are located away from patient and visitor areas. Escorts to your automobile are available after hours by calling UH Security at (505) 272-2160. Suspicious activities at UH should be reported to security at (505) 272-2160, campus police (designated as part of the city police department) at (505) 277-2241, or by dialing 911 if appropriate. UH Security is located on the ground floor of UH behind the Welcome Desk.

UNM shall make safety training available to all HSOs who work at a UNM facility, which includes web-based on-line safety training and/or in-person training. Houseofficers who staff the Emergency Department and Psychiatric Emergency Department shall receive in-person training on how to de-escalate violent patients. All Houseofficers with direct patient contact may attend in-person training on how to de-escalate violent patients. If a Houseofficer chooses to attend in-person training on how to de-escalate violent patients, they must notify their Program Director to ensure the training occurs at a reasonable time. If an Houseofficer chooses to attend in-person training on how to de-escalate violent patients, it will not be counted against educational leave or any other leave time.

[https://hospitals.health.unm.edu/intranet7/apps/doc\\_management/index.cfm?project\\_id=1](https://hospitals.health.unm.edu/intranet7/apps/doc_management/index.cfm?project_id=1)

Personal protective equipment including masks, gloves, gowns, goggles, safety leads, and other appropriate equipment shall be available to each Houseofficer, to use as needed. If adequate personal protection equipment is not available at a rotation site, Houseofficers shall immediately notify their Program Director. Houseofficers shall be integrated into UNM's infection control program. The literature, seminars, and other educational tools prepared by this program, when appropriate, shall be made available to the Houseofficers. The protocols for blood borne pathogens, developed by the infection control program, shall be given to the Houseofficers.

## PROCEDURES POLICY

Dates Approved by the GMEC: 6/2024

Original Policy Date: 7/1998

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### Access to Files

Houseofficers shall have the right to access and review all documents in their academic, departmental, and employment files during the term of their appointment, excluding pre-employment references. Request for copies of files must be made to the Office of Graduate Medical Education. Copies of files will be provided within three (3) business days of written request by the Houseofficer where reasonable need has been established.

Houseofficers shall have the right to review all materials placed in his or her file at any time, both by appointment and at a regularly or specifically scheduled evaluation or counseling session with program faculty. The Houseofficer may place in his or her file a response to any file entries or report and may withdraw his or her response at any time. Any adverse documents not made available to the Houseofficer may not be considered in any disciplinary or arbitration hearing during employment at UNM. In addition, any adverse documents not made available to the Houseofficer shall not in any way be considered in any form of evaluation or communication by UNM during employment at UNM or regarding any other employment, including but not limited to future employment following training at UNM.

Written evaluations of Houseofficers shall be performed regularly after each rotation, by an attending physician who has direct contact with the Houseofficer. Evaluations shall be conducted in a timeframe and format acceptable to the Review Committee, specialty board, or other accrediting body and disclosure in advance to the Houseofficer. A copy of any evaluations shall be accessible to the Houseofficer online and placed in his or her file within a reasonable time after completion or after rotation.

## **ATTORNEY CONTACT (ATTORNEYS NOT REPRESENTING UNM)**

Dates Approved by the GMEC: 6/2024

Original Policy Date: 7/1998

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If you are served with a summons, complaint, or a subpoena regarding medical malpractice, employment issues or other issues that are within the scope and duty of your responsibilities as a Houseofficer at UNM, notify your Program immediately, who should then contact the GME Office, Division Chief or Department Chair. The program and/or GME will contact the Office of University Counsel (“OUC”) immediately. All requests for information made by attorneys or investigators outside of UNM should be directed to Office of University Counsel at (505) 272-2377. Do not engage in discussions with outside attorneys without first contacting OUC.

## BLOOD/BODY FLUID EXPOSURES AND INCIDENT REPORTING

Dates Approved by the GMEC: 6/2024

Original Policy Date: 7/1998

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**For current procedure, please see:**

[https://hospitals.health.unm.edu/intranet/ohs/fluid\\_exposures.shtml](https://hospitals.health.unm.edu/intranet/ohs/fluid_exposures.shtml)

All exposure to blood or other potentially infectious materials (needle sticks, splash to mucous membranes or exposure to non-intact skin) must be evaluated and treated as soon as possible, preferably within two hours of exposure. Trainees must be released immediately to seek treatment.

If the Houseofficer has a blood/body fluid exposure at UNM/UNMH, he/she should undergo appropriate first aid and inform the immediate supervisor of the area in which the exposure occurred (e.g., the charge nurse). The Houseofficer should obtain the BFE checklist and report to Employee Occupation Health Services (EOHS) at 2400 Tucker NE, FMC 232 (Family Medicine Building) if during normal working hours, or the Emergency Department after hours. Employee Occupational Health can be reached at (505) 272-8043. If during normal working hours, the Houseofficer is unable to access EOHS, the Houseofficer may also have the initial visit with UNMH Occupational Health Services (OHS) at 5 North in UH Main Hospital. As part of this process, Houseofficers should fill out a BFE Checklist, accessible at the nursing.

Houseofficers with blood/body fluid exposures at other facilities should follow the appropriate procedures at that facility; subsequent follow up will take place at EOHS.

### **Incident Reporting:**

All injuries or infectious disease contacts by disease of human blood or prevention exposure of Houseofficers while on duty must be reported to the Workers' Compensation Office, (505) 277-0312 and the Employee Occupational Health Services, (505) 272-8043 on the appropriate incident report forms. The Workmen's Compensation form is available in the clinics, nursing stations, emergency room, operating rooms, and online at the Risk Management website at <https://risk.unm.edu/>.

Accidents must be reported to the Program Director and Program Coordinator, the Office of GME, EOHS and Workers' Compensation Office.

## DISASTERS AND SUBSTANTIAL DISRUPTIONS IN PATIENT CARE OR EDUCATION

Dates Approved by the GMEC: 9/2020, 5/2022, 3/2023, 6/2024

Original Policy Date: 7/2013

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### ACGME STANDARDS

In accordance with Section IV.M of the ACGME Institutional Requirements, the Sponsoring Institution must have a policy consistent with ACGME Policies and Procedures, that addresses administrative support for each of its ACGME-accredited programs and residents/fellows in the event of a disaster or other substantial interruption in patient care or education. The policy must include information about assistance for continuation of salary, benefits, professional liability coverage and resident/fellow assignments.

### SCOPE

This Disasters and Substantial Disruptions in Patient Care or Education Policy applies to all graduate medical education programs sponsored by The University of New Mexico School of Medicine (each a "Program" or "GME Program"), to Program Directors and to residents and fellows participating in a Program (individually a "Houseofficer" and collectively "Houseofficers").

### PURPOSE

This Policy sets out certain University of New Mexico Health Sciences Center ("UNM HSC") procedures pertaining to Disasters and provides information regarding administrative support available to Programs and Houseofficers in the event of a Disaster or other significant interruption in patient care or Houseofficer education. All ACGME Institutional, Common Program and Specialty/Subspecialty Requirements continue to apply during emergent situations and Disasters.

### DEFINITIONS

- *"Extraordinary Circumstances Policy"* – the ACGME Policy and Procedures to Address Extraordinary Circumstances, currently set forth in ACGME Policy 21.00, et seq.
- *"Disaster"* – an extraordinary event or set of events, declared by the UNM Vice Chancellor of Health Sciences with respect to UNH HSC, or by Federal, State and/or local governments, which event alters, or events alter, the ability of UNM HSC, the UNM School of Medicine and its Programs to support Houseofficer education. Such event/events may impact an entire community or a region for an extended period of time.
- *"Extraordinary Circumstance"* – an extraordinary event or circumstance that significantly alters the ability of a Sponsoring Institution and its Programs to support resident education, as defined by the ACGME Policy and Procedures to Address Extraordinary Circumstances. Such events include, without limitation: natural disasters, abrupt hospital closures or catastrophic losses of funding.



## **POLICY**

### UNM Health Sciences Center Emergency Operations Plan

The School of Medicine, Office of Graduate Medical Education (the “Office of GME”) follows UNM HSC’s emergency management plan and protocols related to disasters and emergency operations, available at:

<https://hospitals.health.unm.edu/intranet//EmergencyMgmt/index.shtml>.

In the event of a disaster or circumstances that alter the ability of UNM HSC facilities and its Programs to provide patient care, UNM HSC will initiate the UNM Emergency Operations Center and post instructions and information to the Campus Safety website

<https://campussafety.unm.edu/education/emergency-preparedness/campus-preparedness.html>.

Houseofficers may also receive notifications during a disaster through the University’s emergency management pager system, by email, by TigerConnect, or by the LOBOAlerts Emergency Messaging system – The University of New Mexico’s emergency text messaging system used to provide safety alerts, weather alerts and notifications of events having the potential to impact the University’s ability to conduct regularly scheduled activities. If possible, in accordance with the UNM HSC emergency management plan, each Houseofficer shall contact his or her Program Director to alert the Program Director of his or her whereabouts and safety.

In the case of a disaster in which UNM HSC hospitals and facilities remain functioning, Houseofficers shall access the Emergency Management Website to check revised schedules. Houseofficers are expected to provide clinical care according to professional expectations of them as residents/fellows, taking into account their degree of competence, level of training and the context of the specific situation. Houseofficers will receive further instructions from Program leaders on schedule or Program changes due to the Disaster.

Medical staff leaders, in consultation with the Program Director, DIO or designee, may temporarily modify Houseofficer clinical activities. Houseofficers with full licensure in the State of New Mexico may provide patient care absent supervision in a disaster, recognizing that, as a trainee, Houseofficers shall not be a first-line responders absent consideration of a Houseofficer’s level of training and competence.

In the case of a disaster requiring evacuation of UNM HSC facilities, but in which services and communication are intact, communications will be conducted via the Emergency Management Website. Instructions for response by Houseofficers will be posted on the Emergency Management Website in these circumstances.

In the event that UNM and its Emergency Management Website are not functional during a disaster or other event that causes substantial disruption to patient care or Houseofficer education, the University of Arizona has agreed to support, and provide assistance to, UNM and its Houseofficers. As needed, the University of Arizona Office of Graduate Medical Education

will post Disaster information impacting UNM graduate medical education activities on the University of Arizona Office of Graduate Medical Education website, currently:  
<https://medicine.arizona.edu/education/graduate/graduate-medical-education/university>.

To the extent in compliance with applicable ACGME policies, in the event of a devastating disaster that renders UNM HSC non-functional, Houseofficers will be temporarily accommodated at the University of Arizona in Tucson. University of Arizona Office of Graduate Medical Education staff may work with the Office of GME in identifying accommodations for Houseofficers. If the circumstances allow, personnel from the Office of GME will accompany Houseofficers to the University of Arizona to assist them with the temporary accommodations. The University of Arizona Office of GME's contact number is 520-626-7878.

### **Emergency Circumstances Policy**

If a disaster or other event causes serious, extended disruption and affects UNM's ability or a Program's ability to provide patient care or conduct Houseofficer education in substantial compliance with ACGME Standards, the DIO will report these event(s) to the ACGME Institutional Review Committee Executive Director ("ED-IRC"). The DIO will call or email the ED-IRC with information and/or requests for information.

In response to circumstances that significantly impact the ability of UNM and/or its Programs to support Houseofficer education, the ACGME may invoke the Extraordinary Circumstances Policy. In the event that the ACGME invokes the Extraordinary Circumstances Policy, a notice will be posted on the ACGME website along with information on its response to the Extraordinary Circumstance(s). Once notified of the ACGME decision to invoke the Extraordinary Circumstances Policy, Program Directors should call or email the appropriate Review Committee Executive Director ("RC-ED") with information and/or requests for information. Houseofficers shall call or email the appropriate RC-ED or the Office of Resident Services ([residentservices@acgme.org](mailto:residentservices@acgme.org) or 312-755-5000) with any information and/or requests for information.

Upon invocation of the ACGME Extraordinary Circumstances Policy, the DIO and Office of GME, in cooperation with impacted Program Directors, will:

- revise its educational Program, within thirty (30) days of the ACGME invoking the policy, to comply with the applicable Common, Specialty/Subspecialty and Institutional Requirements; and
- arrange temporary transfers to other programs/institutions until such time as the impacted Program(s) can resume training and provide an adequate Houseofficer educational experience; or
- assist Houseofficers in making permanent transfers to other ACGME programs/institutions in compliance with the Extraordinary Circumstances Policy.

Programs along with the DIO and Office of GME leaders, shall expeditiously determine whether to reconstitute impacted Programs and/or arrange for temporary or permanent transfers of

Houseofficers for training, so as to maximize the likelihood that each Houseofficer is capable of completing his/her academic year with the least disruption to his/her training and education. The DIO, or his or her designee(s), shall contact the ACGME to receive the timelines the ACGME has established for its Programs within ten (10) days of the invocation of the Extraordinary Circumstances Policy. The ACGME timelines will establish deadlines for:

- affected Programs to submit reconfigurations to the ACGME; and
- inform the Program's Houseofficers of the decision whether to reconstitute the Program and/or transfer the Houseofficers either permanently or temporarily.

The due dates for the DIO, or his or her designee(s), to submit this information to the ACGME shall be no later than 30 days after the invocation of the Extraordinary Circumstances Policy, unless other dates are approved by the ACGME.

At the outset of a temporary transfer, Programs will inform each transferred Houseofficer of an estimated duration of his or her temporary transfer. If a Program determines that a temporary transfer will continue through the end of the academic year, it will promptly notify each transferred Houseofficer. If more than one institution or Program is available for temporary or permanent transfer of a particular Houseofficer, the preferences of the Houseofficer shall be considered by UNM and the Program.

UNM shall continue to provide salary, benefits and professional liability coverage to Houseofficers impacted by a Disaster or temporarily transferred due to an Extraordinary Circumstance, subject to any restrictions in plans, law or regulations.

### **Institutional Oversight**

To fulfill institutional oversight responsibilities, the GMEC, through the Office of GME, will monitor compliance with this Policy.

## **FALSE CLAIMS ACT (DEFICIT REDUCTION ACT)**

Dates Approved by the GMEC: 6/2024

Original Policy Date: 7/2013

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Training of the Federal False Claims Act and the NM Medicaid False Claims Act is required pursuant to the Deficit Reduction Act of 2005 (DRA). Both Statutes cover fraud involving federally funded contracts or programs (i.e., Medicare and/or Medicaid) and establish liability for any person who knowingly presents or causes to be presented a false or fraudulent claim for payment.

The Qui Tam (“whistleblower”) provisions encourage people, with actual knowledge of allegedly false claims, to come forward and report the misconduct. Whistleblowers are protected from retaliation by both statutes, as well as, by UNM Business Policy 2200, Reporting Misconduct and Retaliation. You may anonymously report internally using the toll-free 24/7 contracted HSC Compliance Hotline at 1-888-899-6092.

For more information on the DRA, please review the PowerPoint presentation entitled “Deficit Reduction Act of 2005 (DRA)” on the HSC Compliance web page at:

<https://www.cms.gov/Regulations-and-Guidance/Legislation/DeficitReductionAct/index.html>

## GRIEVANCES AND DUE PROCESS

Date Approved by GMEC: 9/2020, 5/2022, 6/2024

Original Policy Date: 7/1998

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### **ACGME Standards:**

In accordance with ACGME Institutional Requirement IV.C.1.b, the Sponsoring Institution must have a policy that provides residents/fellows with due process relating to the following actions regardless of when the action is taken during the appointment period: suspension, non-renewal, non-promotion; or dismissal. In accordance with ACGME Institutional Requirement IV.D, the Sponsoring Institution must have a policy that outlines the procedures for submitting and processing resident/fellow grievances at the program and institutional level that minimizes conflicts of interest.

### **Scope:**

This Policy applies to all graduate medical education programs sponsored by the University of New Mexico School of Medicine (each a "Program" or "GME Program"), to Program Directors and to each resident and fellow participating in a Program (individually a "Houseofficer" and collectively "Houseofficers").

### **Definitions:**

- "Academic or Clinical Underperformance/Academic Misconduct" – conduct connected to a Houseofficer's academic performance, acquisition of Core Competencies and the development of the clinical skills necessary to function as a physician in the Houseofficer's medical specialty.
- "Adverse Action" – a disciplinary action taken against a Houseofficer which alters the intended career development of the Houseofficer and which is to be accorded due process consistent with ACGME Requirements. Adverse Actions include the following:
- "Dismissal"- the act of terminating a Houseofficer participating in a Program prior to successful completion of the course of training, whether by early termination of the Houseofficer's agreement of appointment or by Non-Renewal of the agreement.
- "Non-Renewal/Non-Reappointment" – the act of not reappointing a Houseofficer to subsequent years of training prior to fulfillment of a complete course of training.
- "Non-Promotion" – the act of not advancing a Houseofficer to the next level of training according to the usual progression through a GME Program.
- "Suspension" – withdrawal of privileges for participating in clinical, didactic or research activities associated with appointment to the GME Program.
- "Administrative Misconduct" – misconduct or alleged misconduct by a Houseofficer, excluding conduct related to a Houseofficer's fulfillment of the clinical and academic standards of his or her residency program or other Academic or Clinical Underperformance/Academic Misconduct. Alleged Administrative Misconduct is subject to the grievance and arbitration procedure set forth in Article 25 of the Collective Bargaining Agreement.

- “Clinical Competency Committee (the “CCC”)” - a required body comprising three or more members of the active teaching faculty that is advisory to the Program Director and reviews the progress of all Houseofficers in a Program.
- “Collective Bargaining Agreement or CBA” – the Collective Bargaining Agreement between UNM and the Committee of Interns and Residents (an affiliate of the Service Employees International Union).
- “Core Competencies” – specific knowledge, skills, behaviors, and attitudes in the following domains: patient care and procedural skills; medical knowledge; practice-based learning and improvement; interpersonal and communication skills; professionalism; and systems-based practice.
- “Grievance” - a complaint by a Houseofficer and/or the Houseofficer and CIR alleging that an action or inaction by UNM has, in a substantial way: (i) adversely affected the Houseofficer’s progress in a Program; or (ii) threatened a Houseofficer’s intended career development. Grievances also include complaints by a Houseofficer or related to the Houseofficer’s academic or clinical learning environment, Program, or faculty, as well as appeals of Adverse Actions.

**POLICY:**

**Purpose; Notice of Adverse Action**

The purpose of this Policy is to secure equitable solutions to Grievances that may arise during a Houseofficer’s participation in a Program and afford Houseofficers facing Adverse Action, appropriate due process.

Houseofficers shall be informed in writing of a proposed Adverse Action, including if the Program intends to renew the Houseofficer’s Agreement of Appointment (“GME Agreement”) but does not intend to promote the Houseofficer to the next level of training or if a Program intends to Dismiss the Houseofficer. Notice of an Adverse Action shall include a description of the proposed Adverse Action, a description of the reasons for such action and shall inform the Houseofficer that he/she may exercise the Grievance and due process procedures as set forth in this Policy. A Houseofficer shall not be disciplined or discharged absent just cause and disciplinary action shall not be reported to the New Mexico Medical Board until the discipline is implemented. Additional information is set forth in the UNM School of Medicine, Office of GME: Policy on Evaluation, Promotion and Renewal of Appointment.

**Collective Bargaining Agreement:**

This Policy pertains to Grievances, including appeals of Adverse Actions, based on a Houseofficer’s Academic or Clinical Underperformance or unprofessional conduct as described in the Code of Professional Conduct set forth in in the UNM Houseofficers Regulation and Benefit Manual. The following grievances are governed by the procedures set forth in Article 25 of the Collective Bargaining Agreement: (a) the interpretation, application, or violation of the terms of the CBA; (b) the regular and recurrent assignment of a Houseofficer to duties not appropriate to training; and (c) disciplinary actions, including Adverse Actions, based on a Houseofficer’s alleged Administrative Misconduct, including disciplinary actions resulting from impairment and substance abuse.

**Exclusions:**

Complaints or grievances related to the following are not properly appealable under the grievance procedures set forth in this Policy:

- The merit of a UNM policy generally, including the merit of UNM School of Medicine policies; matters which are beyond the authority or control of the University, with the result that UNM is unable to provide a remedy;
- Termination of participation in a residency or fellowship due to circumstances described in the UNM GME Closure and Reduction policy;
- Referrals to the New Mexico Health Professional Wellness Program (formerly New Mexico Monitored Treatment Program), referrals to an emergent psychiatric assessment pursuant to the Mandated Behavioral Assessment and Counseling policy herein, or referral to a drug screening; or
- A decision by a Program to place a Houseofficer on remediation in accordance with the UNM School of Medicine, Office of GME: Policy on Evaluations, Promotion and Renewal of Appointment.

Discipline or dismissal for alleged administrative misconduct. Please see the Collective Bargaining Agreement between the University of New Mexico and the Committee on Interns and Residents/SEIU under such circumstances.

**Access to Files:**

All Houseofficers have the right to access and review the documents in their academic, departmental, and employment files during the term of their appointment, physically during business hours or on-line, excluding pre-employment references. Copies will be provided at UNM's expense within three (3) business days if a reasonable need for prompt access is established. A Houseofficer shall make a request for access and review of his/her files in writing to the DIO or his/her designee. A Houseofficer may place in his or her academic, department or employment file, responses to any entries or reports within the affected file. Any adverse documents not made available to the Houseofficer shall not be considered during hearing procedures set forth in this Policy. Additional information regarding access to files and records is set forth in the Collective Bargaining Agreement.

**Informal Resolution:**

A Houseofficer who believes he or she has a valid Grievance shall first attempt to resolve the matter informally, directly with his or her Program Director. If the Program Director is personally involved or has a conflict in the matter, then the DIO or his/her designee may be notified and shall be substituted for the Program Director. A meeting shall be held between the Program Director, or the DIO or his/her designee if applicable, to discuss and work in good faith to resolve the Grievance. If the matter is not resolved, the Houseofficer may access the Grievance and Due Process Procedures set forth below.

**Grievance and Due Process Procedure:**

A Houseofficer subject to a proposed Adverse Action or otherwise seeking resolution of a Grievance may submit the Grievance for review by submitting the Grievance in writing to the DIO or his/her designee within ten (10) calendar days following the event that is the subject of the Grievance or within ten (10) calendar days of the Houseofficer's receipt of Notice of an Adverse Action. The Houseofficer shall include a statement of the Grievance, the facts upon which it is based, information describing the attempt to resolve the matter informally and the remedy sought.

**1) Step One: Committee Hearing**

- a) The Grievance shall be heard by a hearing committee (the "Hearing Committee"). The Hearing Committee shall consist of three (3) voting members: one uninvolved Houseofficer appointed by the Resident Council and two Program Directors from Programs who are not involved in the matter or dispute, appointed by the DIO or his/her designee. If one or more Program Directors are unavailable, faculty members from Programs other than the Houseofficer's Program may be appointed to the Hearing Committee by the DIO or his/her designee.

The Committee may be advised by faculty members who specialize in fields relevant to the Grievance. Faculty members advising the Committee, if any, are not members of the Hearing Committee and shall not have a vote. The DIO or his/her designee shall be the non-voting Chairperson of the Hearing Committee and shall attend to the administrative matters related to the hearing and Grievance, but shall not participate in the deliberations of the Hearing Committee. The Dean of the School of Medicine or his/her designee shall make the necessary appointments to the Hearing Committee if the Committee has not been formed within ten (10) days of the of the Houseofficer's filing of the Grievance.

The Grievance hearing shall follow the following procedures:

- b) The parties must endeavor to commence the hearing within twenty-one (21) calendar days after the Grievance is filed or as soon thereafter as is practicable giving due notice to all parties.
- c) The Office of GME shall prepare and provide to the members of the Hearing Committee, information material to the hearing, including the Houseofficer's Grievance filing (and any attachments to the filing) and, as applicable: academic deficiency notices, the Notice of Adverse Action, CCC meeting notes and a copy of the Houseofficer's record.
- d) The Houseofficer and UNM may each employ legal representatives/counsel to assist them. Such legal representatives/counsel or other advisors shall act in an advisory capacity only, and shall have no right or opportunity to advocate directly to the committee on that party's behalf.



- e) The Houseofficer may submit directly, or through a representative, information for the Hearing Committee's consideration. Any information/materials shall be submitted by the Houseofficer or his or her representative, at least five (5) days in advance of the hearing. The Program may also provide information for consideration at the hearing and will respond to requests for information for purpose of the hearing. The Houseofficer shall provide a list of individuals that the Houseofficer expects to participate in the hearing.
  - f) The Houseofficer has the burden of showing, by a preponderance of the evidence, that an action or inaction of UNM leading to the Grievance is not supported or was in error. The hearing shall not be subject to formal rules of evidence or procedure. The Hearing Committee may permit the presentation of evidence and witnesses subject to such restrictions and limitations as the Hearing Committee may elect.
  - g) The purpose of the hearing will be to obtain factual information related to the Grievance. The Hearing Committee shall keep a record of the hearing and may, in its sole discretion, make or arrange to have made an audio, video, transcriptional, or other recording of any oral presentation made before it.
  - h) If a matter falls into an exclusion for matters subject to this Grievance policy, the Houseofficer shall be notified and the Grievance dismissed. If the Hearing Committee determines that a complaint or grievance falls under the terms of the grievance policy set forth in the CBA, the matter will be referred by the DIO or his/her designee to CIR for consideration in accordance with the procedures set forth in the CBA. A decision by the Hearing Committee that a matter is not within the scope of this Policy, may not be appealed.
  - i) The Hearing Committee may request statements from or interview other Houseofficers, faculty, staff or administrators in order to gather additional information related to the Grievance and the Committee's review.
  - j) The Hearing Committee is authorized to render a decision regarding the Grievance and provide for a remedy, if applicable, based on its decision.
  - k) Decisions of the Hearing Committee shall be decided by a majority vote of the voting members of the Committee. The decision shall be rendered in writing and shall be delivered promptly to the Houseofficer electronically (to the Houseofficer's email address) and/or by an overnight carrier, to the Houseofficer's address of record with the School of Medicine.
- 2) Step Two: Appeal to the Dean of the School of Medicine  
The party that does not prevail at the hearing can appeal the decision to the Dean of the School of Medicine or designee.  
Appeals are limited to:

- a) alleged violations of the Houseofficer's rights under this Policy,
- b) instances in which new information potentially relevant to the Grievance was not available at the time of the Hearing Committee's deliberations, or
- c) assertions that the decision of the Hearing Committee was not supported by substantial evidence in the record.
- d) The Houseofficer shall submit the notice of appeal in writing to the Dean of the School of Medicine or designee, with a copy to the Office of GME, within five (5) calendar days following the receipt by the party of the Hearing Committee's written decision. The written notice of appeal shall state the basis for the requested appeal.

The Dean of the School of Medicine or designee shall review the record of the Grievance as presented to the Hearing Committee. The Dean or designee may call for further evidence/information or argument at his/her discretion and he or she may affirm, reverse, or modify the decision. The decision of the Dean or designee of the School of Medicine is final.

**Reporting:**

UNM will make reports to the New Mexico Medical Board, National Practitioner Data Bank and other agencies or organizations as may be required by applicable law, regulation or guidance.

**No Retaliation:**

Under no circumstances may anyone retaliate against, interfere with or discourage a Houseofficer or other individual from participating in good faith under the grievance and due process procedures under this Policy.

**Institutional Oversight:**

In fulfilling institutional oversight responsibilities, the GMEC, through the Office of GME, will monitor Program compliance with this Policy and procedures for due process.

**References /Associated University Wide Policies:**

UNM School of Medicine, Office of Graduate Medical Education: Policy on Evaluation, Promotion and Renewal of Appointment

Collective Bargaining Agreement (CBA) by and between UNM and the Committee on Interns and Residents (CIR) currently in effect.

## MANDATORY TRAINING

Dates Approved by the GMEC: 5/2024

Original Policy Date: 7/1998

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### **HIPAA:**

HIPAA training and certification is required annually of all Houseofficer physicians for each location they are assigned in accordance with the institutional policy. UNMH HIPAA training is online at:

<https://learningcentral.health.unm.edu/learning/user/login.jsp>

Violation of HIPAA requirements through viewing of protected patient information that is not part of a patient care activity may result in discipline, up to and including termination from Graduate Medical Education programs and is a violation of professionalism standards.

### **OSHA Training:**

The Federal Government requires annual training of all personnel who may be exposed to blood borne diseases. New Houseofficers receive this training as part of their orientation day activities.

All Houseofficers must complete annual certification. Web based OSHA training is available at both UNM and VA sites. The UNM online training resides under Learning Central on the main UNM HSC website <https://learningcentral.health.unm.edu/> The VA online training resides on the VA Internet under "Clinical", then under "Computer Based Training" as "Physician OSHA Blood borne pathogens (with test)".

Other trainings:

UNM, UNM Hospital, the Albuquerque VAMC, and other facilities at which houseofficers rotate may require compliance with additional trainings. Houseofficers are responsible for completing required trainings at the time of orientation as well as by due dates set by UNM GME for annual trainings.

Houseofficers who are not in compliance may be suspended from duty without pay until they provide documentation of having taken the training.

## HSC IDENTIFICATIONS

Dates Approved by the GMEC: 6/2024

Original Policy Date: 7/1998

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HSC Identification badges are the official photo identification for all Houseofficers. UNM HSC ID badges must be worn at all times when training or when representing UNM HSC. Houseofficers are expected to display appropriate photo ID when on duty. UNM Hospital Security will assess a replacement fee of \$20 for all lost badges. Stolen badges should be reported to Hospital Security (272-2160) and GME immediately.

Houseofficer's HSC ID Badges have a LoboCard code, which allows Houseofficers to take advantage of the following at a free or discounted rate:

- University tennis courts
- Medical Library — North Campus
- UNMH 6th floor work room
- Domenici buildings and gym
- Zimmerman Library and satellite libraries
- Johnson Gymnasium facilities (spouse/dependent cards are available from Leisure Services at the gym with a small charge per semester)
- North Golf Course

## **INFECTION CONTROL**

Dates Approved by the GMEC: 6/2024

Original Policy Date: 7/1998

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All Houseofficers receive training on basic infection control at new Houseofficer orientation. Houseofficers temporarily unable to perform routine hand hygiene in the course of patient care should be reassigned to non-patient care duties.

Houseofficers may be contacted by Infection Control regarding the potential exposures from patients and are expected to comply with prompt follow-up and treatment at Employee Occupational Health Services. Houseofficers are encouraged to report potential exposures to Infection Control/Hospital Epidemiology.

Questions or concerns regarding isolation, nosocomial infections, exposure, or diseases reportable to the State Department of Health may be addressed to Infection Control staff at UH at (505) 272-0131 or VAMC (505) 265-1711 ext. 4575 or ext.4363, as well as Hospital Epidemiologist (TigerConnect).

## MANDATED BEHAVIORAL ASSESSMENT AND COUNSELING

Dates Approved by the GMEC: 5/2024

Original Policy Date: 7/1998

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If a UNM GME Program Director or designee, in their sole discretion, identifies the need for a mandatory behavioral assessment of a Houseofficer, the Program Director or designee will notify the Houseofficer, make an emergent referral of the Houseofficer to a mutually agreeable provider (in conjunction with the Office of GME) for emergent assessment, and will remove the Houseofficer from clinical responsibilities until the initial assessment has been completed and a report has been received of that assessment. As part of this assessment, a drug screen may be required, and referral to the New Mexico Health Professional Wellness Program (formerly known as the NM Monitored Treatment Program) may result. <https://www.nmhppwp.com/>

The Houseofficer shall be seen by a mutually agreeable psychiatrist as soon as arrangements can be made, preferably within 48 hours of the emergent referral.

The psychiatrist(s) performing such assessments will

- Meet with the Houseofficer
- Clearly notify the Houseofficer of the psychiatrist's dual reporting responsibility to the Houseofficer and the University (i.e., reporting both to the Houseofficer and to the referring Program Director or designee)
- Provide an initial psychiatric assessment, focusing on the presence or absence of psychiatric illness that might interfere with the Houseofficer's ability to be safe at work and provide safe patient care.

If the Houseofficer is determined not to have such a psychiatric illness:

The psychiatrist will notify the Program Director what, if any, conditions should be placed on the Houseofficer to return to duty, including, as appropriate, recommended time limitations for these conditions.

If the Program Director feels such conditions are inappropriate in the context of the Houseofficer's training, the matter should be referred to the DIO for resolution.

The psychiatrist performing the initial assessment may recommend additional evaluations/treatment to the Houseofficer. Should the psychiatrist make recommendations, they will help identify available resources for such evaluations or treatment and will assist with those referral(s).

Ongoing psychiatric care will not be provided by the psychiatrist making the emergent assessment under this policy.

As necessary, the psychiatrist performing the mandated assessment will develop a “behavioral contract,” with input from the referring Program Director, which the Houseofficer must sign as a condition for returning to duty.

If it is determined that a Houseofficer has a psychiatric condition that compromises the safety of the Houseofficer or of patients and other members of the health care team, the psychiatrist:

- Will notify the Program Director and the Office of GME that such a condition exists. If the resident requires leave, the resident must communicate this with the Program Director;
- May recommend additional evaluations/treatment to the Houseofficer, will help identify available resources for such evaluations or treatment, and will assist with those referrals, but will not be the provider of such evaluations or treatment; and
- Will coordinate with OPW to provide re-assessments as necessary.
- Will document all assessments in accordance with UNM HSC Bylaws for medical documentation.

If the assessing psychiatrist suspects substance abuse, they will notify the Program Director. The Program Director, in their sole discretion, may then refer the Houseofficer for testing and/or to the New Mexico New Mexico Health Professional Wellness Program (formerly known as the NM Monitored Treatment Program).

If, in their sole discretion, the Program Director mandates the Houseofficer to participate in an emergent referral as provided under this policy, the Houseofficer will not be subject to any out-of-pocket cost for such mandated behavioral assessments. The costs of any additional evaluations or treatment recommended as a result of a mandated emergent referral and behavioral assessment made under this policy will be the financial responsibility of the Houseofficer. The Office of GME will be available to assist the Houseofficer with processing medical insurance claims and with identifying other available resources (including financial resources) for such additional evaluations or treatment.

As a condition of returning to their training program, Houseofficers will instruct any individuals or agencies providing additional evaluations or treatment outside of the initial emergent referral and behavioral assessment, including ongoing behavioral care, engaged in as a consequence of or directly related to a mandated behavioral assessment made under this policy, to notify, as appropriate, the Houseofficer’s Program Director that the Houseofficer is ready for re-assessment of their ability to work and any recommended conditions on or limitations to the Houseofficer’s ability to perform the essential functions of their positions that may be required.

Houseofficers may request medical leave as a consequence of or directly related to an emergent referral or behavioral assessment made pursuant to this policy. Such requests must be made pursuant to the policies in this Manual. Houseofficers whose medical leave is granted

as a consequence of or directly related to an emergent referral or behavioral assessment made pursuant to this policy that extends beyond 12 months will be required to reapply for admission to their UNM residency or fellowship program should they wish to resume their GME training at UNM following the completion of such leave.

Failure to comply with any provision of this policy, including but not limited to failure or refusal to comply with a referral to an emergent assessment, failure or refusal to comply with a referral to the New Mexico Health Professional Wellness Program (formerly known as the NM Monitored Treatment Program), or failure or refusal to timely communicate with the Program Director and/or GME of compliance with such referrals, may result in disciplinary action up to and including dismissal from the Houseofficer's training program.



## **WHISTLEBLOWER PROTECTION AND REPORTING SUSPECTED MISCONDUCT AND RETALIATION**

Dates Approved by the GMEC: 6/2024

Original Policy Date: 7/1998

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Members of the University community are expected, and in some cases required, to report suspected misconduct that comes to their attention. Persons who report suspected misconduct, in good faith, are afforded whistleblower protection from retaliation by the University for such reporting. For more information, see University Policy 2200: <http://policy.unm.edu/university-policies/2000/2200.html>

## **BOARD ELIGIBILITY REQUIREMENTS**

Dates Approved by the GMEC: 6/2024

Original Policy Date: 7/1998

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Each ACGME program will provide trainees with a written policy in compliance with its Program Requirements concerning the effect of leaves of absence, for any reason, on satisfying the criteria for completion of the residency program, and information relating to access to eligibility for certification by the relevant certifying board.

## COMPLETION OF TRAINING

Dates Approved by the GMEC: 5/2024

Original Policy Date: 7/1998

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Contracts for Houseofficers are awarded annually and do not extend beyond an academic year. Houseofficers who begin a training program at the University of New Mexico may reasonably expect to complete their training at this institution provided their academic progress and performance is satisfactory, moral, ethical, and professional behavior is appropriate, and funds are available.

When Houseofficers are nearing completion of training, they must complete all required off boarding / check out documentation and procedures, as may be required by UNM GME, affiliated hospitals, and their programs, in order to receive their certificate of completion.

## CONSENSUAL RELATIONSHIPS IN MEDICAL EDUCATION

Dates Approved by the GMEC: 6/2024

Original Policy Date: 7/1998

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Interactions between teachers/evaluators and learners in medical education programs sponsored by the University of New Mexico School of Medicine are guided by mutual trust, confidence, and professional ethics. Professional teacher/learner relationships have a power differential between the teacher and the learner; personal relationships between those who teach and evaluate and those who learn carry a number of risks: conflict of interest, breach of trust, abuse of power, perception of favoritism, and breach of professional ethics. When any of these occur, there is disruption of the dynamics of the health care team, with consequent potential loss of quality patient care and medical education.

Those interactions with power differential include, but are not limited to faculty/student, faculty/resident, faculty/fellow, fellow/resident, supervising resident/subordinate resident, resident/student. For the purpose of this policy, those in the position of greater power will be termed teacher and those who are in the position of lesser power will be termed learner.

### Definitions:

- Faculty, for the purposes of this policy only, is defined as full or part-time faculty and all other personnel who evaluate resident/fellow performance.
- Residents/fellows are all full time or part time residents/fellows.
- Medical Student refers to any student enrolled in a course approved by the School of Medicine.
- A consensual relationship is any dating, romantic, sexual, or marriage relationship.
- Position of authority includes situations in which the teacher is responsible for an evaluation of the performance of a learner.

### Policy:

Teachers shall not engage in consensual relationships with learners whenever the teacher has professional position of authority with respect to learner matters that involve teaching or evaluation of learners' performance, as part of the medical education program. Should a consensual relationship develop, or appear likely to develop, while the teacher is in a position of authority, the teacher and/or the learner shall terminate the position of authority.

Even when the teacher has no professional responsibility for a learner, the teacher should be sensitive to the perceptions of other learners, that a learner who has a consensual relationship with a teacher may receive preferential treatment from the teacher or the teacher's colleagues. This policy will apply to relationships between teachers and learners during residency

rotations/experiences in which the performance of the resident/fellow as part of their approved curriculum is being evaluated, and during all graduate medical education rotations/experiences.

**Procedures:**

When a consensual relationship, as defined above, exists or develops, the teacher should avoid or terminate his/her position of authority with respect to the learner. Avoidance or termination includes, but is not limited to, the evaluation being performed by another qualified teacher; the position of authority being assumed by an alternative teacher; transfer of the learner to another rotation, etc.

**Non-Compliance with Policy:**

Any credible allegation of a teacher's failure to avoid or terminate a position of authority with regard to a learner while in a consensual relationship obligates the Department Chair, Program Director or other responsible person to conduct a prompt and thorough inquiry to determine whether the allegation is true. Where it is concluded that a position of authority in a consensual relationship exists and the involved person refuses to terminate the position of authority, the Department Chair or Program Director shall terminate the position of authority and can impose sanctions against parties involved.

**Sanctions:**

Persons in violation of this policy shall be subject to sanctions ranging from verbal warnings to dismissal or termination. Persons who knowingly make false allegations that consensual relationship overlaps with a position of authority shall be subject to the same sanctions.

CONSENSUAL RELATIONSHIPS AND CONFLICTS OF INTEREST

(See also UNM Policy 2215 <https://policy.unm.edu/university-policies/2000/2215.html> )

## CLOSURE AND REDUCTION POLICY

Date Approved by GMEC: 9/2020, 5/2022

Original Policy Date: 9/2013

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### **ACGME STANDARDS:**

In accordance with Section IV.N of the ACGME Institutional Requirements, the Sponsoring Institution must have a policy that addresses GMEC oversight of reductions in size or closure of each of its ACGME-accredited programs, or closure of the Sponsoring Institution that includes the following: the Sponsoring Institution must inform the GMEC, DIO and affected residents/fellows as soon as possible when it intends to reduce the size or close one or more ACGME-accredited programs, or when the Sponsoring Institution intends to close; and, the Sponsoring Institution must allow residents/fellows already in an affected ACGME-accredited program(s) to complete their education at the Sponsoring Institution or assist them in enrolling in (an)other ACGME-accredited program(s) in which they can continue their education.

### **PURPOSE:**

The purpose of this Closure and Reduction Policy ("Policy") is to set forth University of New Mexico College of Medicine ("UNM") policies and procedures governing the reduction in the size of a graduate medical education program sponsored by UNM (each a "Program"), the closure of a Program or the closure of UNM.

### **POLICY:**

UNM will inform the Graduate Medical Education Committee ("GMEC"), the DIO and affected residents and fellows ("Residents" or "Houseofficers") as soon as possible if: (a) UNM intends to reduce the size of a Program, (b) UNM intends to close, transfer or discontinue a Program for any reason, or (c) UNM intends to close.

UNM will also provide notice to the GMEC, the DIO and to affected Residents, as soon as reasonably possible of the following: (a) receipt from the ACGME or any other accrediting body of notification regarding non-accreditation or probation or similar change in the status of a Program; and (b) a decision of a merger or change in number of beds which has a substantial impact on any Program. UNM will make such other notifications, including to union representatives, as may be required by applicable contracts or regulations.

In the event of termination/closure, transfer or reduction in size of a Program or if UNM closes, UNM will follow all ACGME requirements and will assist Houseofficers in enrolling in another ACGME-accredited graduated medical education program of the same specialty, in which they can continue their education. An incumbent Houseofficer shall not be prevented from completing his or her Program because of UNM's decision, for budgetary reasons, to reduce the number of Houseofficers in any Program.

At the time UNM informs Houseofficers of a termination/closure, transfer or reduction, UNM shall provide resources to the affected Houseofficers, including, but not limited to: contact names, addresses, and phone numbers that may be helpful in a Houseofficer's search for a placement. UNM shall continue to pay the salary/stipend of each displaced Houseofficer for the remainder of his/her residency year unless the Houseofficer is placed in another salaried and accredited residency program at another institution within the residency year.

With respect to a closure or reduction in Program size, UNM may allow Residents to complete their education at UNM. For Houseofficers continuing in a Program for which notice has been given that accreditation has been withdrawn, but prior to the actual effective date of such withdrawal, UNM will maintain levels of training, continue to provide required rotations as able, and add ancillary and professional staff to cover losses in Houseofficer coverage. UNM shall take reasonable steps to balance the service needs of the department with the professional and educational goals of the Houseofficers involved.

## DRUG SCREENING

Dates Approved by the GMEC: 5/2024

Original Policy Date: 7/2013

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Drug screening (pre-rotation) is required at some hospitals under affiliation agreements with the University of New Mexico. Compliance is mandatory for those rotations. Forms and information must be obtained through the GME Office. As long as the Houseofficer complies with the drug screening requirements of the affiliated healthcare facility, and so long as the Houseofficer's screen results are negative, GME will send a letter to the affiliated hospital stating that the Houseofficer has met the drug screening eligibility requirements of the affiliated hospital.

Drug screens may also be required of any Houseofficer as part of an investigation of impairment as per the Impairment policy in this Manual, as part of an emergent psychological review as per the Mandated Behavioral Assessment and Counseling policy in this Manual, as part of an investigation into allegations of a Houseofficer's misconduct or behavior, or as part of an investigation of allegations of missing narcotics.

In the event of allegations of missing narcotics during a Houseofficer's rotation at the University of New Mexico Hospital or its associated or affiliated clinics or an affiliated hospital or healthcare facility, the Houseofficer is subject to that hospital's or healthcare facility's policies and procedures for drug testing. Any allegation of impairment or involvement in an investigation into missing narcotics may result in a referral to the New Mexico Health Professional Wellness Program.

In the event that drug screening is mandatory, whether as part of an affiliation agreement with a healthcare facility, as required by a Houseofficer's Program Director, as a part of an investigation of narcotics at a hospital or healthcare facility, or for any other reason, failure to comply with any part of such drug screening process may result in disciplinary action, up to and including the withdrawal of employment offer or dismissal from the Houseofficer's training program.

Failure to comply with a referral to the New Mexico Health Professional Wellness Program may result in disciplinary action up to and including dismissal from the Houseofficer's training program. A Houseofficer's failure to properly and/or timely notify their Program Director or GME of their compliance with a referral to a drug screening or a referral to the New Mexico Health Professional Wellness Program may be interpreted as non-compliance with the referral and may therefore result in disciplinary action up to and including dismissal from the Houseofficer's training program.



## LICENSURE

Dates Approved by the GMEC: 5/2024

Original Policy Date: 9/2020

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The New Mexico Medical Board (NMMB) or the New Mexico Dental Board (of the New Mexico Regulation and Licensing Department) issues a training license to Houseofficers to participate in residency programs. All medical and dental residents must have a training or full license on file with the GME office. Training and employment at UNM cannot begin until the license is issued.

### **Medical License:**

All medical residents must have an active medical license in order to be in residency; suspension of the medical license may result in leave without pay or other negative actions on the part of the program.

The Training License is issued by the Board with the expectation that all requirements of the New Mexico Practice Act related to professional behavior, care of patients, and assurance of competency are adhered to while in training. Due to the commitment of the institution to train Houseofficers to practice in the State of New Mexico, candidates for a training license to train at UNM cannot be ineligible for a full unrestricted license in the State of New Mexico at the end of training.

For Houseofficers in good standing, all training licenses are renewed annually by the Houseofficer for the duration of the program (not to exceed eight years). NMMB training license online renewal process is located at <http://www.nmmb.state.nm.us/>.

For any activity outside the training program (e.g., Locum Tenens, external moonlighting), Houseofficers must have a full, unrestricted license in the state of practice, at a minimum, to practice medicine.

In addition to training licenses, the NM Medical Board (NMMB) grants unrestricted professional licenses. An unrestricted license requires two years of post-graduate training completed in the United States and successful completion of USMLE Step III to be eligible. Please see the NMMB's website for more information.

The NMMB may report resident issues to the National Medical Practitioner Data Base. Houseofficers must notify the Office of Graduate Medical Education and the DIO of any complaints by patients or others filed with the NMMB.

**Dental License:**

All dental residents must have an active dental training license in order to be in residency; suspension of the dental license may result in leave without pay or other negative actions on the part of the program.

This Training License is issued by the New Mexico Dental Health Care Board with the expectation that all requirements of the New Mexico Practice Act related to professional behavior, care of patients, and assurance of competency are adhered to while in training. Due to the commitment of the institution to train Houseofficers to practice in the State of New Mexico, candidates for a dental training license to train at UNM cannot be ineligible for a full unrestricted license in the State of New Mexico at the end of training.

## PLAGIARISM POLICY

Dates Approved by the GMEC: 6/2024

Original Policy Date: 7/2013

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Plagiarism is the use of another person's ideas, words, phrases, sentences, facts, graphics, charts, tables, graphs, graphics, audio-visuals, or other intellectual products without appropriately citing and crediting the original source(s). Plagiarism in any form constitutes academic misconduct and the UNM School of Medicine (UNM SOM) considers plagiarism a breach of resident professionalism, which requires appropriate administrative inquiry and response. Appropriately citing sources brings deserved credit to the work of other writers, indicates the level and quality of research conducted, provides a scientific foundation for scholarship, builds solidarity in the academic community, and facilitates the reader's ability to validate claims and pursue independent learning.

### **Examples of Plagiarism:**

The following are considered examples of plagiarism but are not inclusive. It is within the discretion of the School of Medicine faculty member or program director to determine if other actions not listed here also constitute plagiarism.

- The submission of efforts of others as your own personal or group work, or scholarship.
- Use of direct quotations without the use of quotation marks or other appropriate demarcation, and/or without referencing of the source of the quotation.
- Incorrect paraphrasing information without proper citation of the source.
- Failure to provide adequate citations for material used.
- The purchase of a scholarly paper or any other academic product from the Internet or any other commercial sources and submitting it as your own work.
- Downloading work from the Internet and submitting it without citation.
- Directly copying and pasting from any source, electronic or written, into any academic assignment without explicit citation of the original source.
- Inappropriate and unattributed use of the cut/paste functions in electronic medical record documentation of clinical care.

### **Consequences of Plagiarism:**

The UNM SOM considers plagiarism as academic dishonesty that violates the Medical Resident Code of Professional Conduct. The following procedure will be followed when a resident is suspected to have plagiarized.

The faculty member or program director will notify the resident or fellow verbally and in writing that there is concern regarding plagiarism. If it is determined that plagiarism occurred, consequences may include failure of the rotation or other required activity (e.g., research

project). The program director may require the resident or fellow to resubmit the document of concern.

The program director will send a notification of the nature of the plagiarism and the action to the Graduate Medical Education Committee to determine if further action is warranted. The GMEC will review the incident and determine if other penalties are appropriate depending on the seriousness of the plagiarism and the context in which it occurred as well as the resident explanation.

Additionally, notification will also go to the Senior Associate Dean for Graduate Medical Education.

Any resident who has a second report of plagiarism will be brought before (GMEC). The GMEC will determine the appropriate action to be taken.

## EDUCATIONAL ACTIVITIES

Dates Approved by the GMEC: 6/2024

Original Policy Date: 7/2013

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Houseofficers are required to fully participate in the teaching programs and in the educational activities of their individual departments under the guidance and direction of the Department Chair, Program Director and the Chief of Service to which they are assigned. Houseofficers should develop a personal program of learning to foster professional growth under guidance of teaching staff, participate in institutional and departmental committees that affect their education and patient care, and participate in educational activities developed and supported by the institution. The educational experience should not be compromised by excessive reliance on residents to fulfill non-physician service obligations.

## RESPECTFUL CAMPUS

Dates Approved by the GMEC: 6/2024

Original Policy Date: 7/2013

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UNM's commitment to a respectful campus calls for promotion of an environment in which: Individuals at all levels and in all units value each other's contributions and treat each other with respect.

- Individuals in positions of authority serve as role models by promoting courtesy, civility, diversity, and respectful communication.
- Individuals at all levels are allowed to discuss issues of concern in an open and honest manner, without fear of reprisal or retaliation.

For more information, see UNM Policy 2240: <https://policy.unm.edu/university-policies/2000/2240.html>

## **DRUG FREE CAMPUS**

Dates Approved by the GMEC: 6/2024

Original Policy Date: 7/2013

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The University of New Mexico is an environment for the pursuit of its educational mission free of illegal drugs and the illegal use of alcohol.

## HOUSEOFFICER SELECTION AND RECRUITMENT

Dates Approved by GMEC: 5/2022, 09/2020; 6/2024

Original Date:7/1998

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### **ACGME Standards:**

In accordance with ACGME Institutional Requirement IV.A, the Sponsoring Institution shall have written policies and procedures for resident/fellow recruitment, selection, eligibility and appointment, consistent with ACGME Institutional and Common Program Requirements, and must monitor its ACGME-accredited graduate medical education programs for compliance with such policies.

### **Scope:**

This Policy applies to graduate medical education programs sponsored by The University of New Mexico School of Medicine (each a “Program” or “GME Program”), Program Directors and residents and fellows participating in Programs (individually a “Houseofficer” and collectively “Houseofficers”).

### **Definitions:**

- **“Transfer Resident”** – is a resident or Houseofficer who is: (i) moving from one graduate medical education program to another program within the same or between different Sponsoring Institution(s) and within the same or a different specialty; or (ii) entering a Program requiring a preliminary year at the PGY-2 level even if the resident was simultaneously accepted into the preliminary PGY-1 program and the PGY-2 program as part of the Match (e.g., accepted to both programs right out of medical school). The term does not apply to a Houseofficer who has successfully completed a graduate medical education program and then is accepted into a subsequent residency or fellowship program.

### **Policy:**

UNM is an equal opportunity employer and makes Houseofficer selections based on the preparedness, ability, aptitude, academic credentials, communication skills, and personal qualities of applicants, such as motivation and integrity. UNM and its Programs do not discriminate with regard to sex, race, age, religion, color, national origin, disability, veteran status, sexual orientation, ancestry, medical conditions or other legally protected status.

UNM, and each Program, engage in practices that focus on mission-driven, ongoing, systematic recruitment and retention of a diverse and inclusive workforce of Houseofficers. UNM, as part of its mission, ensures that its training programs provide educational experiences that are sensitive to the unique multicultural environment of New Mexico while meeting or exceeding the standards of professionalism.



**Minimum Qualifications:**

UNM participates in the National Residency Matching Program/the Match and other specialty matching programs to fill Program positions. To be considered for appointment to an ACGME-accredited Program, applicants, whether through the Match or another specialty matching program, must satisfy one of the qualifications set forth below, consistent with ACGME Requirements:

1. Graduation from a medical school in the United States or Canada, accredited by the Liaison Committee on Medical Education ("LCME"); or
2. Graduation from a college of osteopathic medicine in the United States, accredited by the American Osteopathic Association ("AOA"); or
3. Graduation from a medical school outside of the United States or Canada, and meeting one of the following additional qualifications:
  - a. holds a currently-valid certificate from the Educational Commission for Foreign Medical Graduates ("ECFMG") prior to appointment; or
  - b. holds a full and unrestricted license to practice medicine in New Mexico in the applicant's current ACGME specialty/subspecialty program.

Except as specifically permitted by ACGME Requirements and approved by the Program Director and the GMEC, prerequisite post-graduate clinical education required for initial entry or transfer into an ACGME-accredited Program must be completed in ACGME-accredited residency programs, AOA-approved residency programs, Royal College of Physicians and Surgeons of Canada ("RCPSC")-accredited or College of Family Physicians of Canada ("CFPC")-accredited residency programs located in Canada, or in residency programs with ACGME International ("ACGME-I") Advanced Specialty Accreditation.

A physician who has completed a residency program not accredited by a referenced organization, may be allowed to enter an ACGME-accredited Program that does not require an initial clinical year, in the same specialty as the completed residency program; however, the physician will enter the Program as a PGY-1. The resident/Houseofficer may be advanced to PGY-2, at the Program Director's discretion, based on ACGME Milestones evaluations, with approval by the GMEC. This provision applies only to entry into a Program in those specialties for which an initial clinical year is not required for entry.

Except as specifically permitted by ACGME Requirements and approved by the Program Director and the GMEC, all required clinical education for entry into a fellowship Program must be completed in an ACGME-accredited residency program, an AOA-approved residency program, a program with ACGME-I Advanced Specialty Accreditation, or a RCPSC-accredited or CFPC-accredited residency program located in Canada.

In selecting from among qualified applicants, all Programs shall abide by matching program policies and procedures, including participation in the Match for those specialties implementing or subject to the All In Policy of the NRMP or similar policies for other Match organizations. Any

exceptions to use of a matching program or to adherence to the policies and procedures of the matching program shall be approved by the UNM Office of Graduate Medical Education (the “Office of GME”) and/or by the GMEC in writing. Any deviations from standard matching program procedures and practices may necessitate receiving a waiver, which can only be granted by the NRMP or other specialty match.

The Office of GME monitors Programs to ensure that Programs verify and maintain all necessary information related to the recruitment and selection process, including verification of each entering Houseofficer’s level of competence in the required field, upon matriculation, using ACGME, ACGME-I, or CanMEDS Milestones evaluations (which must be verified prior to accepting a Transfer Resident into an ACGME-accredited program, and which evaluations must include those from the core residency program for fellows). Records shall be maintained in the employee file for each Houseofficer. Program Directors shall notify the Office of GME immediately upon receiving any notification or information that would lead the Program Director to believe that a Houseofficer’s credentials or application information is inaccurate.

Program Directors must not appoint more Houseofficers to an ACGME-accredited Program than approved by the ACGME Review Committee. Program fiscal and educational resources must be adequate to support the number of trainees appointed to the Program. Appointment of or the presence of other learners and other care providers (such as residents from other programs, subspecialty fellows, and advanced practice providers, Ph.D. students, nurse practitioners) must enrich the appointed Houseofficer’s education. Fellows should contribute to the education of Houseofficers in core Programs.

**Benefit Information:**

Applicants invited to interview for a Houseofficer position (Program Candidates) will be provided with the terms, conditions, and benefits of appointment to the Program. The information provided shall include the following policies and information, as in effect at the time of interview or which will be in effect as of the appointment:

1. Available financial support;
2. Annual leave/vacation policy;
3. UNM’s additional leave policies, including parental, sick, and other leaves of absence; and
4. Insurance coverages available to Houseofficers and their eligible dependents, including professional liability coverage, hospitalization, health, and disability.

The Program Director must also provide program candidates information related to the applicant’s eligibility for the relevant specialty board examination(s) in accordance with ACGME requirements.

**Level of Appointment:**

The level of a Houseofficer’s appointment is based on the Houseofficer’s role within the Program and required pre-requisite training, as determined by the Program Director and by the

GMEC upon review of the candidate's relevant qualifications and the requirements of the ACGME Review Committee or applicable accrediting organization. Requests for particular placement may be made to the applicable Review Committee or certifying board of the specialty of pursuit, as appropriate.

**Fingerprinting, Background Screening and Security:**

UNM reserves the right to consider information reflected in background check results in making its final hiring decision, to the extent allowed by, and in accordance with, applicable laws and regulations.

All Houseofficers entering clinical practice shall undergo fingerprinting for the purpose of obtaining background check clearance from the New Mexico Medical Board, or New Mexico State Board of Dentistry. Failure to submit to fingerprinting or to receive clearance for work from the relevant New Mexico board(s) will result in the withdrawal of an employment offer or the termination of employment.

Houseofficers who rotate to the Veterans Administration Medical Center ("VAMC") will be subject to the fingerprinting process for purposes of a federal criminal background check. Compliance is mandatory for VAMC rotations.

Houseofficers may be required to provide additional information to UNM, including additional employment history, background information, work status, and education information in connection with application and credentialing procedures, to comply with UNM policies, state or federal regulations and/or for the purpose of satisfying contractual requirements with affiliated institutions.

**Healthcare Exclusions:**

University policy and federal law requires all Houseofficers to be eligible to participate in federal healthcare programs through the US Department of Health and Human Services Office of Investigator General ("OIG") and Government Services Administration ("GSA").

The OIG and the GSA have the authority to exclude individuals and entities from receiving federal health care program or procurement payments if the individual or entity has engaged in fraud of Medicare, Medicaid, or other federal health care programs. Federal health care programs include the National Institute of Health, Medicare, Medicaid, Tricare, Veteran Programs, federally funded state health care programs and others programs.

Exclusions may be based on, among other conduct or incidents: convictions for program related abuse, patient abuse, licensing board actions, and default on health education assistance loans.

Individuals identified as excluded on the General Service Administration's System for Award Management System ("SAM") will not be considered for hire. SAM includes exclusion information from both the OIG and GSA.

Once hired, UNM regularly checks SAM in compliance with applicable law and OIG guidance. A Houseofficer who is deemed excluded through SAM after initial hire will be immediately removed from his/her Program. Houseofficers have a right to the appeal an exclusion in accordance with the process developed by the OIG.

The Office of GME will be responsible for the initial check on the SAM database. Thereafter, a periodic list of Houseofficers will be provided to the UNM Compliance Office. The Houseofficers Agreement of Appointment includes an acknowledgement by the Houseofficer that they have not been excluded from participation in any state or federal health care program.

**Work Authorizations:**

UNM GME does not sponsor individuals for employment-based visas, including but not limited to H-1B visas. Any Houseofficer who does not obtain, renew, or maintain a valid work authorization, will not be allowed to participate in his/her Program during the period in which the work authorization has lapsed or is invalid.

Any Houseofficer who is unable to obtain sponsorship or renewal of a J-1 visa through the ECFMG within sixty (60) days of his/her Program start date or the renewal date of the J-1 visa, may be released from his/her Program. A Houseofficer who loses his/her work authorization for any reason has sixty (60) days from the loss of the work authorization to obtain a valid work authorization; failure to obtain the necessary authorization will result in a release from the applicable Program.

Eligibility to train at UNM and/or training at UNM does not guarantee future eligibility for an unrestricted professional license by the New Mexico Medical Board or other relevant professional board.

**REFERENCES/ASSOCIATED UNIVERSITY-WIDE POLICIES:**

- UNM School of Medicine, Office of Graduate Medical Education: Evaluation, Promotion and Renewal of Appointment

## **TRANSFER POLICY**

Dates Approved by the GMEC: 6/2024

Original Policy Date: 9/2020

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Residents and fellows who transfer to the University of New Mexico from another ACGME program must obtain a release from the Program Director at that institution. The Office of GME will assist in verifying prior training. In order to appoint the transferred trainee at the appropriate level, the Program Director at the University of New Mexico must obtain 1) a written verification of previous educational experiences and/or rotations, as well as, 2) a statement regarding performance in the program or copies of performance evaluations prior to the acceptance and appointment at UNM HSC. Trainees who transfer from the UNM HSC to another institution are responsible for providing that institution with verification of educational experiences or completed rotations and a statement regarding performance of the trainee in the program.

## **SCHEDULES**

Dates Approved by the GMEC: 5/2024

Original Policy Date: 9/2020

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Each program will make call and rotation schedules available to their trainees. All call and rotation schedules must be available through TigerConnect and New Innovations (or appropriate replacement if adopted by the institution). There must be a process in place by each program will ensure accuracy of the information in TigerConnect and New Innovations (or replacement).

## **NATIONAL PROVIDER IDENTIFIER (NPI)**

Dates Approved by the GMEC: 6/2024

Original Policy Date: 9/2020

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National Provider Identifiers are required of all Houseofficers participating in training programs at UNM HSC. The online application is located at

<https://nppes.cms.hhs.gov/NPPES/StaticForward.do?forward=static.instructions>

After the number has been obtained by the Houseofficer, it must be on file with the Office of GME and UNMH.

## USMLE & COMLEX

Dates Approved by the GMEC: 5/2024

Original Policy Date: 9/2020

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For physicians, USMLE or COMLEX Step II must be successfully completed before beginning training in an accredited program at UNM, and Step III should be successfully completed by the end of the second year of training (HO II).

Program Directors in each program should monitor Houseofficers' compliance; however, Houseofficers are responsible for ensuring that they have completed the USMLE or COMLEX requirements.

If a Houseofficer fails to pass the USMLE Step III or COMLEX Level III examination by the end of their HOII year, the program should place Houseofficer on either an Individualized Learning Plan or Remediation.

Houseofficers must register for USMLE Step III or COMLEX Level III using the current GME SOP.

The New Mexico Medical Board usually requires all three examinations to be passed within seven years of passing Step 1 to obtain a full medical license. Refer to the NMMB's policies for additional information.

### **USMLE Step III**

The exam is administered by the Federation of State Medical Boards. Applications for the examination can be obtained online at [www.fsmb.org](http://www.fsmb.org) or calling (817) 868-4041.

### **COMLEX Step III**

The exam is administered by the National Board of Osteopathic Medical Examinations. Applications for the examination can be obtained online at <https://www.nbome.org/assessments/comlex-usa/comlex-usa-level-3/>



## DISABILITY ACCOMMODATIONS

Date Approved by GMEC: 9/2020, 5/2022; 6/2024

Original Date: 7/1998

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### **ACGME Standards:**

In accordance with Section IV.H.4 of the ACGME Institutional Requirements, a Sponsoring Institution shall have a policy, not necessarily GME-specific, regarding accommodations for disabilities, consistent with applicable laws and regulations.

### **Policy:**

The University of New Mexico has a continuing commitment and responsibility to provide equal opportunities and reasonable accommodations to individuals with disabilities. Section 504 of the Federal Rehabilitation Act of 1973, Title II of the Americans With Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act of 2008 (collectively referred to in this Policy as the “ADA”) protect individuals against disability-based discrimination, as does the New Mexico Human Rights Act.

In accordance with the conditions and provisions set forth in UNM policies and in the ADA, UNM, including the UNM Health Sciences Center and graduate medical education programs sponsored by UNM (each a “Program”), provides reasonable accommodations to qualifying individuals, including qualifying Houseofficers. UNM’s institution-wide policy addressing disabilities and accommodations, UNM Policy 3110: “Reasonable Accommodations for Employees, Job Applicants, and Participants with Disabilities” sets forth applicable definitions, conditions and the process for seeking a reasonable accommodation. Policy 3110 extends to individuals who are applicants for employment with UNM, active employees, and/or beneficiaries of UNM programs, services, and activities. UNM Policy 3110 is available at: <https://policy.unm.edu/university-policies/3000/3110.html>.

Program Directors and Houseofficers may contact the UNM Office of Graduate Medical Education or the UNM Office of Equal Opportunity for further information related to this Policy or to UNM Policy 3110.

### **Associated University-Wide Policies:**

UNM Policy 3110: Reasonable Accommodations for Employees, Job Applicants and Participants with Disabilities.

## COMPLAINTS/RESPONSIBILITY OF DIO

Dates Approved by the GMEC: 5/2024

Original Policy Date: 7/2007

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In the event a complaint is lodged by a patient, faculty or staff member regarding a Houseofficer, the GME Office is charged with the obligation to investigate and report back to the appropriate authority (UNMH, VAMC, SOM, Department) any findings and recommendations. Depending on the nature of the complaint, the Houseofficer may be placed on administrative leave during the investigation at the discretion of the GME Office, DIO or designee, SOM, and/or the Department.

The responsibility to investigate the complaint may be delegated to Program Directors, Chief Residents, and/or other designees. Designees may include investigatory bodies including the Office of Compliance, Ethics, and Equal Opportunity, Information Assurance, Human Resources, Compliance, Privacy, the Learning Environment Office, and/or any other entity tasked with internal investigations.

At the conclusion of the investigation, depending on the outcome, the Houseofficer may return to usual status, or subsequent actions may be subject to the policies of UNM GME or the institution (e.g., Discipline or Dismissal).

This is a Medicare requirement.

## CLINICAL AND EDUCATIONAL WORK HOURS

Dates Approved by the GMEC: 9/2020, 5/2022, 3/2023, 5/2024

Original Policy Date: 9/2003

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### **ACGME Standards:**

In accordance with Section IV.K. of the ACGME Institutional Requirements, the Sponsoring Institution must have a clinical and educational work hours policy that ensures effective oversight of institutional and program-level compliance with ACGME clinical and educational work hour requirements. Additional ACGME Institutional Requirements applicable to this Policy include Institutional Requirement III.B.5. (Clinical Experience and Education).

### **Purpose:**

This Clinical and Educational Work Hours Policy is adopted to ensure that each graduate medical education program sponsored by the University of New Mexico School of Medicine (each a "Program") is configured to provide residents and fellows participating in a Program (individually a "Houseofficer" and collectively, "Houseofficers") with necessary and appropriate Clinical and Educational Work Hours (defined below) and experience, as well as opportunities for personal well-being and rest. Programs and Houseofficers have a shared responsibility to ensure that Clinical and Educational Work Hour limitations are not exceeded.

### **Definitions:**

"At-home call (pager call)" means call taken from outside the assigned site.

"In-House Call" means Clinical and Educational Work Hours, beyond the scheduled workday, when Houseofficers are required to be immediately available within an assigned site, as needed, for clinical responsibilities. In-house call does not include Night Float, being on call from home (At-home call), or regularly scheduled overnight duties.

"Moonlighting" means voluntary, compensated, medically related work, performed beyond a Houseofficer's clinical experience and education hours, and additional to the work required for successful completion of the Program. Moonlighting may be "External" - performed outside the site where the Houseofficer is in training and its related participating sites, or "Internal" - performed within the site where the Houseofficer is in training or at any of its related participating sites.

"Night float" means a rotation or other structured educational experience designed to either eliminate In-House Call or to assist other Houseofficers during the night. Houseofficers assigned to night float are assigned on-site duty during evening/night shifts, are responsible for admitting or cross-covering patients until morning, and do not have daytime assignments. Such a rotation must have an educational focus.

“On-Call” means a period during which a Houseofficer is assigned to be in-house or available from home, in addition to the regularly scheduled duty activities.

“One Day Off” means one continuous 24-hour period free from all administrative, clinical, and educational activities.

“Work Hours” or “Clinical and Educational Work Hours” means all clinical and academic activities related to the Program, i.e., patient care (inpatient and outpatient), administrative duties relative to patient care, the provision for transfer of patient care, time spent on in-house call, time spent on clinical work done at home, and other scheduled academic activities, such as conferences, grand rounds, didactic sessions or other educational activities. Work Hours/Clinical and Educational Work Hours do not include reading, studying, research done from home, and preparation for future cases.

**Policy:**

Programs and Houseofficers must adhere to the following Work Hour standards and limitations, except that Programs and Houseofficers participating in Programs with more restrictive limitations or standards as promulgated by the Program’s associated ACGME Review Committee shall adhere to such limitations and standards set forth in the Program’s ACGME Specialty/Subspecialty Requirements:

1. *Maximum Hours of Clinical and Educational Work Hours per Week.* A Houseofficer’s Work Hours must not exceed 80-hours per week, averaged over a four-week period, inclusive of all in-house clinical and educational activities, clinical work done from home, and all Moonlighting, if approved.
2. *Release Time/One Day Off in Seven.* Houseofficers must be scheduled to receive a minimum of One Day Off in seven days (when averaged over four weeks). At-home call cannot be assigned on these free days. Houseofficers should not work fourteen days without at least One Day Off, and if a Houseofficer does not receive such release time, an alternative free day should be scheduled within the four (4) week period contingent upon the reasonable patient care requirements of his or her service.
3. *Minimum Time Off between Scheduled Duty Periods; Mandatory Time Free.* Houseofficers should have eight hours off between scheduled clinical work and education periods. Programs must design Houseofficer schedules to ensure that Houseofficers are provided with the minimum of eight hours off between work and educational periods. There may be circumstances in which Houseofficers choose to stay to care for their patients or return to a training site with fewer than eight hours free of clinical experience and education. This must occur within the context of the 80-hour and the One Day Off in seven requirements. Houseofficers must also have at least 14 hours free of clinical work and education after 24 hours of In-House Call.
4. *Maximum Clinical Work and Education Period Length.* Houseofficer work periods must

not exceed 24-hours of continuous scheduled clinical assignments. Transitions of patient care must occur for patient safety and education. Houseofficers may be allowed to stay on site for up to four hours of additional time following a 24-hour period, to accomplish tasks related to patient safety, such as providing effective transitions of care, and/or Houseofficer education. Additional patient care responsibilities cannot be assigned to a Houseofficer during this time. It is essential that the Houseofficer continues to function as a member of a team in an environment where other members of the team can assess the Houseofficer's fatigue. Each Program must have a procedure to ensure continuity of patient care if a Houseofficer must leave and is no longer able to attend to an assigned patient. This 24-hours and up to an additional four-hour period must occur within the context of the 80-hour weekly limit, averaged over four weeks.

5. *Individual Houseofficer Clinical and Educational Work Hour Exceptions.* In rare circumstances, after handing off all other responsibilities, a Houseofficer, on his or her own initiative, may elect to remain or return to the clinical site in the following circumstances: (a) to continue to provide care to a single severely ill or unstable patient; (b) humanistic attention to the needs of a patient or family; or (c) to attend unique educational events. These additional hours of care or education must be counted toward the 80-hour weekly limit. Decisions to remain to attend a conference or return for a conference later in the day, must be made voluntarily. Houseofficers shall not be required to stay or return for any of the purposes herein listed.
6. *Program Exceptions.* Any Program seeking a rotation-specific exception to Work Hour limitations (not to exceed an increase of up to ten percent (10%) of the Work Hour limits, or 88 Clinical and Educational Work Hours) must follow the clinical and educational work hour exception policy from the ACGME Manual of Policies and Procedures when preparing the request. The Program Director must receive prior approval from UNM's GMEC and DIO before submitting an exception request to the ACGME Review Committee. At this time, the UNM GMEC does not approve work-hour limitation exceptions.
7. *Moonlighting.* Moonlighting must not interfere with the ability of the Houseofficer to achieve the goals and objectives of his or her Program. As such, Moonlighting is restricted and must be approved and conducted in accordance with the School of Medicine, Office of Graduate Medical Education ("Office of GME") Moonlighting Policy. Moonlighting is not permitted unless the Houseofficer has received his or her Program Director's approval on the required Moonlighting permission form, available from the Office of GME. Houseofficers must remain in good academic standing in order to Moonlight. PGY-1 Houseofficers and Houseofficers sponsored by ECFMG for J-1 visas are not permitted to Moonlight. If approved, all Moonlighting must be counted toward the 80-hour maximum weekly limit, averaged over a four-week period. For this reason, all Moonlighting work hours must be logged and monitored by the program. Approval of a Moonlighting arrangement may be withdrawn at any time. See the UNM Office of Graduate Medical Education Moonlighting Policy for further information.

8. *In-House Night Float.* Night float must occur within the context of the 80-hour and One Day Off in seven limitation/requirement. The maximum number of consecutive weeks of Night float, and the maximum number of months of Night float per year, may be further specified by a Program's ACGME Review Committee; in which case the Program must adhere to such limitations on in-house Night float.
9. *Maximum In-House On-Call Frequency.* Houseofficers must be scheduled for In-House Call no more frequently than every third night (when averaged over a four-week period).
10. *At-Home Call.* Clinical work done while on At-home call counts against the 80-hour-per-week limit. Clinical work while on At-home call includes taking phone calls and other forms of communication, or entering notes in an electronic health record (EHR). These activities do not restart the clock for time off between scheduled in-house Clinical and Educational Work Hour periods. Time, free of clinical work and activities such as reading about the next day's case, studying or research activities, do not count toward the 80-hour work limit. Houseofficers are permitted to return to the hospital while on At-home call to provide direct care for new or established patients; these hours of inpatient care must be included in the 80-hour maximum weekly limit. The frequency of At-home call is not subject to the every-third-night limitation but At-home call may not be scheduled on a Houseofficer's One Day Off in seven requirement (when averaged over four weeks). In addition, At-home call must not be so frequent or taxing as to preclude rest or reasonable personal time for each Houseofficer.

### **Requirements Applicable to Programs**

Houseofficer schedules are to be designed with patient care and Houseofficer well-being in mind. Each Program must have a written statement or policy concerning Houseofficer schedules and Work Hours, which shall be in compliance with this Policy, with applicable ACGME Specialty/Subspecialty Requirements and limitations, with ACGME standards and guidance addressing Houseofficer fatigue and with the terms of any applicable collective bargaining agreement extending to the Houseofficers. Programs need to factor in time residents are spending on clinical work at home when schedules are developed to ensure that residents are not working in excess of 80 hours per week, averaged over four weeks.

If a Program's Specialty/Subspecialty Requirements on Work Hours are more restrictive than the Work Hour limitations set forth above, Programs shall comply with the more restrictive Work Hour requirements or limitations.

Each Program shall distribute a copy of the Program's Work Hours policy to all Houseofficers participating in or rotating with the Program. Programs and Departments shall also distribute a copy of Work Hours policies to Program faculty. It is the primary responsibility of the Program to assure compliance with Review Committee Work Hours requirements.

## **Houseofficer Fatigue**

Programs are responsible for educating all faculty members and Houseofficers on recognizing the signs of fatigue and sleep deprivation, alertness management and fatigue mitigation processes. UNM also recognizes the importance of having systems of care and learning and working environments that facilitate fatigue mitigation for Houseofficers and educational programs for Houseofficers and faculty in fatigue mitigation.

In the interest of maintaining high quality patient care and the health and safety of UNM Houseofficers and faculty, the Work Hours Task Force is responsible for sharing best practices on Houseofficer scheduling among programs. Additionally, education on sleep deprivation and fatigue is provided at Houseofficer orientation and subsequently by Programs.

In the event that a Houseofficer is unable to perform his/her patient care responsibilities due to excessive fatigue, each Program must ensure effective transitions in care and continuity and coverage of patient care, consistent with the Program's policies and procedures and ACGME Requirements. There shall be no negative consequences and/or a stigma for using fatigue mitigation strategies and processes.

Programs, in partnership with UNM, recognize the impact of sleep deprivation and will provide adequate sleep facilities and safe transportation options for Houseofficers who may be too fatigued to safely return home on their own. The taxi or ride-sharing (e.g., Uber/Lyft) reimbursement program is available with notification by the Houseofficer to the Program Director or attending physician and provides round-trip fares not to exceed reasonable amounts (currently \$50).

## **Requirements for the Reporting of Work Hours**

Houseofficers have an affirmative duty to report all Work Hours, including reporting any Work Hour violations. Houseofficers shall report their Work Hours honestly, completely, and correctly via the New Innovations program. Houseofficers shall log their Work Hours at least weekly into New Innovations, by no later than Tuesday morning, in accordance with institutional policies and directives. Houseofficers shall enter all of their Work Hours for the seven-day period (Tuesday to Monday) preceding the weekly deadline.

Programs shall monitor New Innovations reports and Houseofficer Work Hour entries. If a Houseofficer fails to timely enter his or her Work Hours into New Innovations, the Houseofficer will be required to meet with his/her Program Director, and the GMEC may be consulted for any needed disciplinary plans if the Houseofficer continues to not comply with this professional expectation.

The Office of GME maintains a webpage and reporting form allowing Houseofficers to anonymously report any concerns, including complaints, related to Work Hours. The webpage is available here: [UNM Duty Hour Reporting Webpage](https://hsc.unm.edu/medicine/education/gme/anon-dh-report/anon-dh-report.html) or by copying and pasting the following to a browser: <https://hsc.unm.edu/medicine/education/gme/anon-dh-report/anon-dh-report.html>. All reports entered through the reporting form, including reports that Houseofficers have incorrectly logged Work Hours into New Innovations, are confidential. Work Hour comments or compliance concerns may also be reported through the UNM HSC Compliance Hotline (1-888-899-6092). Houseofficers can also reach the HSC Compliance Office at the following email address at any time: [hsc-compliance@salud.unm.edu](mailto:hsc-compliance@salud.unm.edu).

### **UNM Work Hours Monitoring**

The Office of GME regularly monitors logged Work Hours for compliance with institutional, ACGME and Review Committee limitations. Work hours data is reported to the GMEC and its Work Hours Task Force for additional monitoring of Program compliance. In an effort to support Program monitoring and ensure Work Hour compliance:

1. The Office of GME collects and maintains Program Work Hour policies.
2. The Office of GME generates reports through New Innovations (“Clinical Experience and Education Reports”) and reviews Program and Houseofficer compliance. Any individual (Houseofficer or faculty) aware of a Work Hours flag should report the violation directly or by use of the confidential web-based reporting for Houseofficers (UNM Duty Hour Reporting Webpage detailed above) or by the HSC Compliance Hotline (1-888-899-6092).
3. The Work Hours Task Force and the GMEC also reviews the Work Hours reports in connection with Task Force and GMEC meetings, for review and discussion of specific rotation concerns. Programs are not exempt from also tracking Work Hours data.
4. Programs and each Department are required to investigate any Work Hour compliance issues or concerns identified by the Program, Department, Task Force or GMEC. Each Program must prepare and provide the Office of GME with a written response to any Work Hours flag promptly (generally within 72 hours) of the identification or receipt of notification of a Work Hour flag.
5. The Office of GME, Work Hours Task Force or GMEC may request plans for improvement from individual Programs not in compliance with Work Hour reporting requirements or Work Hour limitations. Programs and Departments are encouraged to involve Houseofficers in the preparation of improvement plans. Program Directors and individual Houseofficers with a history of incidents of non-compliance may be required to meet with designated subcommittees of the GMEC, or with the GMEC. Work Hours flags for non-compliance, including those: (a) reported through the UNM Duty Hour Reporting Webpage, (b) reflected in resident surveys, (c) reported or cited by the



ACGME, or (d) reported through the HSC Compliance Hotline (1-888-899-6092) may result in a Special Review of the Program. The Special Review will include interviews of Houseofficers participating in various rotations to assess not only compliance with the Houseofficer Work Hours requirements, but also to assess educational aspects, Houseofficer fatigue/stress, and quality of life issues. This process is described more fully in the UNM Graduate Medical Education Committee Special Review Policy and Protocol.

6. Continued failure by a Houseofficer to report Work Hours in New Innovations may result in the Houseofficer's remediation or probation. This is described more fully in the UNM Office of Graduate Medical Education Policy on Complaints, Grievances and Due Process.

**References/Associated UNM Graduate Medical Education Policies:**

- UNM Office of Graduate Medical Education: *Policy on Moonlighting*.
- UNM Graduate Medical Education Committee: *Special Review Policy and Protocol*.
- UNM Office of Graduate Medical Education: *Policy on Grievances and Due Process*.

Collective Bargaining Agreement (CBA) by and between UNM and the Committee on Interns and Residents (CIR) dated January 23, 2024.

## **TAXI OR PROFESSIONAL RIDE SHARING SERVICES REIMBURSEMENT PROGRAM**

Dates Approved by the GMEC: 6/2024

Original Policy Date: 9/2020

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Houseofficers who feel they are not able to safely drive themselves home after twenty-four hours or more of service may, with notification of the Program Director or attending physician, elect to take a taxi or other professional ride sharing services to their designated home. Reimbursement shall include round trip fares not to exceed fifty dollars (\$50) in total.

## HARASSMENT

Dates Approved by GMEC: 9/2020, 5/2022

Original Policy Date: 7/1998

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### **ACGME Standards:**

In accordance with ACGME Institutional Requirements, UNM shall have a policy, not necessarily GME-specific, covering sexual and other forms of harassment, that allows residents/fellows access to processes to raise and resolve complaints in a safe and non-punitive environment, in a timely manner, consistent with applicable laws and regulations.

### **Scope:**

This Harassment Policy applies to all graduate medical education programs sponsored by the University of New Mexico College of Medicine (each a "Program" or "GME Program"), to Program Directors and Program faculty and to each resident and fellow participating in a GME Program (individually a "Houseofficer" and collectively "Houseofficers").

### **Definitions:**

- "**Harassment**" or "**workplace harassment**" is unwelcome conduct by any member or group of a community on the basis of actual or perceived membership in a class protected by policy or law that creates a hostile environment in a work or education program, as further defined and set forth in the University Administrative Policy 2720: Prohibited Discrimination and Equal Opportunity, as it may be updated or amended from time to time ("UAP 2720").
- "**Mistreatment**" is behavior, either intentional or unintentional, demonstrating disrespect for the dignity of others that unreasonably interferes with the learning or training process, as further defined in University Administrative Policy 2240: Respectful Campus as it may be updated or amended from time to time ("UAP 2240").
- "**Sexual harassment**" has the meaning set forth in University Administrative Policy 2740: *Sexual Harassment Including Sexual Assault*, as it may be updated or amended from time to time ("UAP 2740").

### **Policy:**

#### *General*

It is the policy of UNM, including its GME Programs and the UNM Office of Graduate Medical Education ("Office of GME"), to prevent and eliminate all forms of unlawful harassment and mistreatment in employment and educational settings. UNM makes special efforts to eliminate both overt and subtle forms of sexual harassment. Houseofficers are subject to and shall abide by this Policy. Houseofficers, Program Directors and Program faculty are subject to and shall abide by UAP 2720, UAP 2740, and UAP 2240.

UNM and the Office of GME encourages Houseofficers to report all known or suspected incidents of harassment or mistreatment experienced in a Program, whether or not the

Houseofficer believes the incident constitutes harassment. UNM takes incidents of harassment, including sexual harassment, and mistreatment seriously and is able to take corrective action only when it becomes aware of issues or potential issues.

### **Reporting Harassment:**

The UNM Office of Compliance, Ethics & Equal Opportunity (merger of the Compliance Office and the Office of Equal Opportunity (OEO)) is the independent, impartial, and neutral campus entity designated to investigate issues that apply to civil rights. CEEO reports directly to the University President to maintain optimal independence and impartiality.

An individual who believes that he/she has experienced harassment or is the subject to harassing behavior is encouraged to contact CEEO/OEO. OEO may be contacted by email at [oeounm@unm.edu](mailto:oeounm@unm.edu) or by phone: (505) 277-5251.

OEO maintains a Discrimination Grievance Procedure describing its reporting and investigation process at its website: <https://oeo.unm.edu/>. Under this procedure, parties have the option of filing an informal or formal complaint alleging discrimination or sexual harassment.

Houseofficers may also report incidents of non-civil rights-related harassment as well as incidents of mistreatment to the UNM School of Medicine Learning Environment Office (“LEO”) as further detailed below.

### **Resources and Reporting Sexual Harassment:**

There are several resource options for students, staff, and faculty at UNM, including for Houseofficers, who have experienced an act of sexual harassment. Specific resources, either on or off campus for medical treatment, legal evidence collection, obtaining information, support and counseling, and officially reporting an incident are listed in Appendix A of the UAP 2740.

Each resource can assist a person to access the full range of services available. For more information, see UAP 2740 at <http://policy.unm.edu/university-policies/2000/2740.html#toc2>.

UNM staff and faculty, excluding certain confidential resources (such as the LEO director) specified in UAP 2740, who receive information about a person who has experienced sexual misconduct must report the information to OEO within 24 hours, or as soon as reasonably practicable, in order for UNM to respond effectively to Houseofficers who have experienced sexual harassment, including sexual assault. This includes information obtained via third-party and rumors, as well as directly from the affected individual.

UNM encourages individuals, including Houseofficers or Program staff, who have experienced sexual harassment, to report the incident so that they get the support they need and UNM can respond appropriately. UNM and GME leaders recognize that individuals may want to speak confidentially with someone on campus before deciding whether to report the incident to the police or OEO for investigation. As such, certain individuals and offices on campus, including specific LEO staff members, are designated as confidential resources.

**Learning Environment Office:**

The School of Medicine Learning Environment Office/LEO is specifically available as a confidential resource for Houseofficers who have experienced mistreatment. Reports to LEO are treated with confidentiality to the extent permitted by law and policy. Information that comes into LEO is only shared with individuals who need to know, such as OEO. When reporting online, reporters have the option of remaining anonymous. More information is available on the LEO website: <https://hsc.unm.edu/school-of-medicine/education/learning-environment-office.html>.

**No Retaliation:**

Houseofficers should feel comfortable that they may raise issues of mistreatment, including harassment, perceived harassment, and sexual harassment, at any time, without fear. Retaliation against any persons for asserting their civil rights, which includes reporting to OEO or LEO or filing a claim of harassment, or participating in an investigation related to an allegation of harassment, is prohibited by UNM policy.

In addition, to further protect against retaliation, LEO has also developed the following processes: As set forth above, Houseofficers may report mistreatment anonymously. If requested by the Houseofficer: (a) LEO will not provide departments with the identity or identifiable characteristics of the Houseofficer, (b) LEO will attempt to keep the identifiable specifics of the incident private to the extent possible, and provide the department with a generalized summary of the incident, in order to protect the identity of the Houseofficer, and (c) LEO can wait to take action until the particular learner has completed their rotation or training program, in order to lessen fears of retaliation on evaluations or recommendations.

Houseofficers should be aware, however, that maintaining anonymity is not strictly guaranteed, as the facts and circumstances of their complaint – even when attempts to keep such information private are made – may be sufficient to identify who the reporting party is. Moreover, maintaining privacy or anonymity may hamper LEO's ability to investigate or otherwise process a complaint of mistreatment.

Every Houseofficer reporting to LEO can contact LEO again at any time if they feel retaliated against for making the report. LEO considers acts of retaliation to be mistreatment and responds to reports of retaliation.

At all times, Houseofficers who raise concerns are protected by University Administrative Policy 2200, "Reporting Suspected Misconduct and Whistleblower Protection from Retaliation," <https://policy.unm.edu/university-policies/2000/2200.html>.

Any Houseofficer with concerns may also contact the Senior Associate, Associate or Assistant Deans of GME. The Office of GME has an open-door policy and is also available to advise Houseofficers.

**References/Associated University Policies**

- University Administrative Policy 2240: Respectful Campus
- University Administrative Policy 2720: Prohibited Discrimination and Equal Opportunity
- University Administrative Policy 2740: Sexual Harassment and Including Sexual Assault

University Administrative Policy 2200: Reporting Suspected Misconduct and Whistleblower Protection from Retaliation

## MOONLIGHTING POLICY

Dates Approved by the GMEC: 9/2020, 5/2022, 3/2023, 6/2024

Original Policy Date: 7/1998

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### **ACGME Standards:**

In accordance with Section IV.K.1 of the ACGME Institutional Requirements, the Sponsoring Institution must have a policy on moonlighting that includes the following: residents/fellows must not be required to engage in moonlighting; residents/fellows must have written permission from their Program Director to moonlight; an ACGME-accredited program will monitor the effect of moonlighting activities on a resident/fellow's performance in the program, including that adverse effects may lead to withdrawal of permission to moonlight; and, the Sponsoring Institution or individual ACGME-accredited programs may prohibit moonlighting by residents/fellows.

### **Purpose:**

This Moonlighting Policy applies to all graduate medical education programs sponsored by the University of New Mexico School of Medicine (each a "Program"), including Programs at each participating site, and to residents and fellows participating in Programs (individually a "Houseofficer" and collectively, "Houseofficers").

### **Definitions:**

- "Moonlighting" or "Moonlight", and all forms of these words, means voluntary, compensated, medically-related work, performed beyond a Houseofficer's clinical experience and education hours, additional to the work required for successful completion of a Program. Moonlighting may be "External" or "Internal" as follows:
- "Internal Moonlighting" means voluntary, compensated, medically-related work performed within the site where the Houseofficer is in training or at any of its related participating sites.
- "External Moonlighting" means voluntary, compensated, medically-related work performed outside the site where the Houseofficer is in training or at any of its related participating sites.

### **Policy:**

#### **General Moonlighting Principles**

Houseofficers must not be required to engage in Moonlighting. Moonlighting, whether Internal or External, must not prevent a Houseofficer's rest, restoration and well-being and shall not compromise patient safety. Moonlighting shall not interfere with the ability of the Houseofficer to achieve the goals and objectives of his or her Program and must not interfere with the Houseofficer's fitness for work.

Moonlighting, if permitted by a Program, must be authorized in writing by the Houseofficer's Program Director. Permission, if granted, shall extend to the specific Moonlighting activities set forth in the authorization. Houseofficers are responsible for obtaining approval for new Moonlighting engagements and shall obtain authorization to continue previously approved Moonlighting activities, each academic year. PGY-1 Houseofficers and Houseofficers holding J-1 visas are not permitted to Moonlight. Moonlighting may not be used by a Houseofficer to operate an independent practice.

UNM and each of its Programs may withdraw an authorization previously granted to a Houseofficer, at any time. Programs shall have specific policies identifying whether or not the Program permits Houseofficers to Moonlight and setting forth the Program's particular Moonlighting rules, not inconsistent with this Moonlighting Policy. Houseofficers shall not Moonlight while on call for a Program.

Program Directors must closely monitor the effects of Moonlighting on a Houseofficer's performance in the clinical environment and training Program. If a Houseofficer's Program Director finds that Moonlighting has had an adverse effect on the Houseofficer's performance, such as increased fatigue, the Program Director may withhold or withdraw permission to Moonlight.

#### **Internal and External Moonlighting Procedures and Requirements**

All Internal and External Moonlighting shall be conducted by Houseofficers in compliance with State and federal laws and regulations. In order to engage in External Moonlighting activities, an allopathic Houseofficer must have either an active, unrestricted medical license to practice medicine and surgery issued by the New Mexico Medical Board or a public service license and an osteopathic Houseofficer must have an active osteopathic medical license issued by the New Mexico Medical Board. Houseofficers shall have and maintain, for all periods of Moonlighting, professional liability insurance coverage satisfying State and facility requirements.

A Houseofficer seeking to Moonlight must submit a written request to his or her Program Director on the required UNM Moonlighting Permission Form, available from the School of Medicine, Office of Graduate Medical Education ("Office of GME"). The Moonlighting Permission Form, signed and approved by the Houseofficer's Program Director, must be returned to the Office of GME prior to the Houseofficer engaging in any Moonlighting activities. Programs allowing Internal Moonlighting shall verify a Houseofficer's Moonlighting hours and submit necessary special compensation forms to UNM GME. The Houseofficer's Program Director, Program Coordinator, or designee must sign each special compensation form prior to payment.

For External Moonlighting, UNM recommends that Houseofficers coordinate Moonlighting activities through the UNM Medical Group Locum Tenens and Specialty Extension Services Program (the "UNM Locum Tenens Program"). UNM Locum Tenens Program staff assist Houseofficers in the process of obtaining necessary State licensing and in completing the



necessary credentialing procedures required to engage in Moonlighting. If External Moonlighting is conducted through the UNM Locum Tenens Program, UNM provides professional liability coverage to the Houseofficer and compensation is processed and paid to the Houseofficer through the UNM payroll system.

For External Moonlighting that is not coordinated through the UNM Locum Tenens Program, it is the responsibility of the hiring facility and of the Houseofficer to ensure that the Houseofficer is appropriately licensed or otherwise legally permitted to practice medicine in New Mexico. The hiring facility and Houseofficer are further responsible for ensuring that the Houseofficer has and maintains professional liability insurance extending to the Moonlighting services. UNM does not provide professional liability insurance coverage to Houseofficers engaged in External Moonlighting outside of the UNM Locum Tenens Program. The hiring facility is also responsible for payroll and compensation to the Houseofficer.

#### **Requirements for Reporting Moonlighting Hours**

Houseofficers are required to report and record all Internal or External Moonlighting time/hours in New Innovations in compliance with the UNM Office of Graduate Medical Education: *Policy on Clinical and Education Work Hours*. All Moonlighting hours are counted toward applicable ACGME work hour limits (80-hour weekly limit maximum, when averaged over a four-week period). Failure by a Houseofficer to report his or her Moonlighting hours in New Innovations may be considered professional misconduct, resulting in disciplinary action.

#### **References/Associated UNM Graduate Medical Education Policies:**

- UNM Office of Graduate Medical Education: *Policy on Clinical and Education Work Hours*

## NON-COMPETITION RESTRICTIONS

Dates Approved by the GMEC: 9/2020, 5/2022, 26/2024

Original Policy Date: 7/2013

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### **ACGME Standards:**

In accordance with Section IV.M. of the ACGME Institutional Requirements, the Sponsoring Institution must have a policy which states that neither the Sponsoring Institution nor any of its ACGME-accredited programs will require a resident/fellow to sign a non-competition guarantee or restrictive covenant.

### **Scope:**

This Non-Competition Restrictions Policy applies to all graduate medical education programs sponsored by the University of New Mexico School of Medicine (each a "Program"), including Programs at each participating site, and residents and fellows participating in Programs (individually a "Houseofficer" and collectively, "Houseofficers").

### **Policy:**

Houseofficers are not subject to non-competition or restrictive covenant provisions in UNM Health Sciences Center contracts or in UNM policies. Non-competition provisions and restrictive covenants shall not be included in Houseofficer agreements of appointment or other contracts and shall not otherwise be a term or condition of a Houseofficer's appointment to any Program. Neither UNM nor any Program will require Houseofficers to sign a non-competition guarantee or restrictive covenant.

## HOUSEOFFICER IMPAIRMENT

Dates Approved by GMEC: 9/2020, 5/2022, 5/2024

Original Date: 7/1998

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### **ACGME Standards:**

In accordance with section IV.H.2 of the ACGME Institutional Requirements, the Sponsoring Institution must have a policy, not necessarily GME-specific, which addresses physician impairment.

### **Purpose:**

All individuals enrolled in UNM graduate medical education programs, including ACGME-accredited graduate medical education programs (each a "Program"), are responsible for ensuring that patient safety is maintained at all times. UNM, its Programs and its affiliated hospitals, are drug-free and alcohol-free campuses. This UNM Houseofficer Impairment Policy is adopted to support UNM in maintaining a high standard of patient care and safety, and extends to individuals employed by UNM and participating in a Program (each a "Houseofficer"), excluding Chief Residents with faculty appointments.

UNM recognizes that physicians are at significant risk for impairment, including substance abuse. Houseofficers are strongly encouraged to self-disclose impairments to their Program Directors and/or to the Office of Graduate Medical Education ("Office of GME"). A Houseofficer will not be disciplined or terminated for self-disclosing and seeking voluntary treatment for an impairment. This disciplinary safe harbor does not extend to impairment or dependence discovered or reported other than by self-disclosure, nor does it extend to discipline for conduct, behavior, actions, or omissions while a Houseofficer is impaired or dependent.

All HSOs will be informed of UNM's drug and alcohol testing policy and procedures and prohibited conduct before any testing is administered. Newly hired HSOs will be provided with information regarding the UNM drug and alcohol testing policy and procedures as part of orientation. No HSO shall be tested until this information is provided to them.

This Policy outlines the process of reporting incidents of suspected Houseofficer impairment, impairment determinations, returning to work and related procedures, and is intended to be consistent with the terms of the applicable collective bargaining agreement between UNM and the Committee of Interns and Residents/SEIU. If a Houseofficer is rotating at an affiliated hospital or other site, the Houseofficer may be subject to the policies and procedures of the affiliated hospital or other site, in addition to this Policy. Violations of this Policy, and in particular, participating in training or patient care while impaired, may result in discipline, up to and including, immediate termination of a Houseofficer from his/her Program.

### **Definitions and Usage:**

- "Impairment," "impaired," "impair," and any and all forms of these words, as used in this Policy, include but are not limited to: alcohol, or drug, or chemical dependency, use or abuse, regardless of whether such substance is prescribed for a medically recognized physical, mental or other condition that impairs the Houseofficer's ability to competently and safely perform, even to the slightest degree, his or her duties within commonly accepted practice standards.
- "Substance abuse" refers to the use of an illicit substance or misuse of a licit substance, regardless of whether prescribed for a medically-recognized condition or not. "Substance abuse" does not include the use of a validly prescribed medication appropriately used as determined by the Houseofficer's healthcare provider. Houseofficers are permitted to take valid prescriptions and over-the-counter medications consistent with appropriate medical treatment plans while performing their duties and consistent with the terms of this Policy. In the event a prescribed or over-the-counter drug therapy affects, or is perceived to affect, a Houseofficer's job performance, or safety, or other training site, the Houseofficer may be required to submit to a fitness for duty evaluation and/or drug testing consistent with the terms of this Policy.

**Policy:**

***Access to Appropriate Tools for Self-Screening and Mental Health***

Programs, with the assistance of UNM, must (i) ensure that faculty and Houseofficers are educated to recognize symptoms of depression and substance abuse, as well as symptoms of burnout, including in themselves, and (ii) educate faculty and Houseofficers on the means to assist those who experience such conditions and how to seek appropriate care for themselves. Houseofficers are provided tools for self-screening (the Interactive Screening Program, available at [unmsom.caresforyou.org](http://unmsom.caresforyou.org)) and, as part of their benefits, have access to confidential mental health assessments, counseling and treatment, including through UNM's employee assistance program (Outcomes) for Houseofficers and family members of Houseofficers, as outlined in the UNM Regulation and Benefit Manual (the "Houseofficers' Manual"), as updated from time to time. Houseofficers also have access to:

- UNM's Counseling, Assistance and Referral Service ("CARS");
- Urgent and emergency care, 24-hours a day, seven days a week; and
- Psychiatric and additional services, as further set forth in the "Confidential Counseling and Other Support Services" section of the Houseofficers' Manual.

A Houseofficer who is concerned that he/she may have a problem with an impairment, including an impairment related to substance abuse, or has concerns related to mental health, is encouraged to use the available confidential resources and/or reach out to the Office of Professional Wellbeing for assistance in accessing resources.

***Self-Reporting***

A Houseofficer who is impaired or becomes impaired while training in a Program and who self-discloses the impairment pursuant to this Policy, may exhaust any and all accrued annual leave (vacation), sick, and available catastrophic leave to voluntarily seek and participate in a treatment program directly related to such impairment. No Houseofficer will be disciplined or terminated for self-disclosing and seeking such voluntary treatment. HSOs eligible for FMLA may apply for, and if approved, utilize FMLA leave for treatment.

Houseofficers may access the New Mexico Health Professional Wellness Program (the "NMHPWP," formerly the New Mexico Monitored Treatment Program/MTP), providing services statewide for health professionals with substance abuse, mental health, physical health impairment and workplace issues. A Houseofficer who self-discloses substance/alcohol abuse may be referred to NMHPWP at the discretion of the Program Director and/or the Office of GME, for evaluation and development of an appropriate treatment plan.

### ***Reporting a Houseofficer Suspected of Impairment***

All members of the UNM Health Sciences Center community, including Houseofficers, have an obligation to protect the health and safety of UNM's patients.

During the training period, if a person detects signs in a Houseofficer of possible substance abuse and/or impairment due to drugs or alcohol in a Houseofficer the attending physician, Senior Associate Dean of GME or designee, and/or the Department Chair, Division Chief, or Program Director, upon notification of same, will meet with the Houseofficer suspected of impairment and advise him/her of the situation, and will immediately place the Houseofficer on paid administrative leave pending investigation into the suspected impairment. Additional processes are listed below in this section.

### ***Investigation***

The level of investigation conducted by UNM as to a Houseofficer with a suspected impairment is fact and situation-dependent. Investigations may include initial and subsequent drug/substance abuse testing, psychiatric evaluation or other appropriate evaluations, as well as initial and subsequent investigatory interviews with the Houseofficer. The individual supervising the investigation may send the Houseofficer for testing prior to conducting any investigative interviews with the Houseofficer or other individuals. This is further discussed in the "Alcohol and Substance Abuse Testing" section of this Policy, below.

At any interview or meetings in connection with an investigation, the Houseofficer may elect to be accompanied by up to two advisor(s), of their choosing. The advisors may include a Committee of Interns and Residents-SEIU ("CIR") staff representative. A Houseofficer's selection of advisors during the investigative interview may not delay the investigation beyond twenty-four (24) hours. The Houseofficer may take reasonable breaks as needed so that the advisors may provide advice to the Houseofficer. The advisor will not be permitted to interfere with or disrupt the meeting.

As part of the investigation, the Houseofficer may identify witnesses with whom the Houseofficer would like UNM to speak as part of the investigation. A Houseofficer's placement on administrative leave may continue during the investigative process.

### ***Alcohol and Substance Abuse Testing***

In the event a determination is made to refer a Houseofficer for drug and substance abuse testing, appropriate testing will be arranged by UNM management. If a Houseofficer is sent for testing, the individual who referred the Houseofficer for testing will notify the Houseofficer's Program Director, the Department Chair and the Senior Associate Dean for GME as soon as practical the investigation is occurring.. The Houseofficer, if they so choose, may include CIR on communications regarding the investigation. The Houseofficer may notify CIR if they so choose.

Arrangements will be made for the safe transportation of the Houseofficer to the facility or testing site and from the facility or testing site to his/her home. Failure of the Houseofficer to comply with the recommendation and/or arrangement for drug testing and transportation thereto/therefrom, whether as part of an immediate referral or continued investigation, may result in disciplinary action, up to and including, termination.

Drug and substance abuse test results are not conclusive for purposes of continuing or concluding an investigation. A Houseofficer suspected of an impairment may still be investigated, or an investigation may continue, if test results are negative at the time of initial or any subsequent testing. A Houseofficer with negative drug or substance abuse test results may still be found to have an impairment and potentially subject to discipline as set forth herein and in the Collective Bargaining Agreement.

A Houseofficer may be subject to a hospital or healthcare facility's policies and procedures for drug and substance abuse testing, if rotating/assigned to one of those sites.

### Grounds for Testing

- Reasonable cause for drug and alcohol testing should include conduct and/or current indications of impairment include but not limited to the following:
  - **Recent conduct/behavior:**
    - Disregard for safety of others
    - Taking needless risks
    - Unexplained "disappearances" from the job
    - Lapses in concentration or coordination
    - Complaints from co-workers
    - Poor judgement/increased mistakes
    - Observed impairment of job performance
    - Serious workplace accident involving the HSO
    - Evidence of drug tampering in the HSO's workplace

- Other erratic conduct or behavior
  - Disorientation or confusion
  - Possession of drugs or alcohol
  - Abuse or misuse of prescription writing
- **Current Indicators:**
  - Odor of alcohol
  - Slurred speech
  - Bizarre behavior
  - Lack of muscular coordination or control
  - Violent behavior
  - Excessively active/drowsy
  - Inability to verbalize
  - Dilated and/or glassy eyes
  - Presence of drug paraphernalia
  - Deteriorating physical appearance or hygiene
  - Possession of drugs or alcohol
- Documentation
  - **The Houseofficer will be provided with a copy of the test results as soon as reasonably practical following UNM's receipt of the test results.**
- Further Procedural Requirements
  - **The following procedures shall also be observed:**
    - a. UNM will bear the cost of the initial confirmatory tests.
    - b. Positive tests will be evaluated by a certified laboratory and the laboratory will follow its standard analysis process, including a medical review officer (MRO) when appropriate.
    - c. Test results will be treated with the same confidentiality as other employee medical records within the control of GME.

If recommended for testing the HSO will be accompanied to testing by appropriate personnel.

**New Mexico Health Professional Wellness Program:**

During an investigation of a suspected impairment, a Houseofficer may be referred to NMHPWP for evaluation and development of an appropriate treatment plan, as applicable. A Houseofficer suspected of impairment who receives a positive drug or substance abuse test result, will be referred to NMHPWP. During evaluation and/or treatment, as applicable, the Houseofficer's placement on administrative leave may continue until such time as NMHPWP completes its evaluations, develops an appropriate treatment plan, and the Houseofficer and UNM accept any recommended treatment plan.

Failure of a houseofficer to comply with HPWP recommendations, a recurrence of impairment, or failure or refusal to comply or cooperate with the University's investigation and disposition of suspected impairment may constitute a violation of this Article that may result in disciplinary action as provided in this article.

The goal of any mandated recovery program or discipline should be to return the houseofficer to service at a time and manner consistent with their professional responsibilities and the demands of patient safety.

**Discipline:**

A Houseofficer may be disciplined, up to and including immediate termination for conduct, behavior, actions, or omission while impaired, for failure to comply with HPWP recommendations, not following required processes subsequent to the self-disclosure or incident or suspected impairment, or for non-compliance with a directive or non-cooperation in an investigation as provided in this article. . Houseofficers who use valid prescription and over-the-counter medications consistent with appropriate medical treatment, but are found to be unfit for duty as a result of using said medications, shall not be subject to discipline.

Any outcomes affecting licensure of an Houseofficer may affect the University's ability to retain the Houseofficer and will not be considered administrative actions.

**Return to Work:**

Continuation or resumption of participation in GME programs will be based on the circumstances of the case, including but not limited to the recommendation of NMHPWP, the health status of the Houseofficer, the result of the University's investigation into the suspected impairment, and the administrative evaluation of patient safety concerns in accordance with the hospital's policies on physical impairment.

The Program Director and Senior Associate Dean for GME make the determination of the Houseofficer's ability to resume participation in GME programs. Decisions regarding whether Houseofficers participating in NMHPWP-designed treatment plans may have their work schedules and training schedules modified are based on recommendations of the NMHPWP and other circumstances, including but not limited to, the needs of the University to maintain patient care and safety, and whether such modifications present an undue hardship to the University. In parallel, evaluation of the Houseofficer for suspected alcohol and/or substance abuse may proceed pursuant to the procedure provided for herein and in the Collective Bargaining Agreement.

**Safety Concerns**

In situations in which a Houseofficer presents a safety concern to others or to him/herself, the Houseofficer will be referred for appropriate psychiatric and medical evaluations.

Urgent/emergent psychiatric evaluations shall be conducted in accordance with the UNM Office of GME's Policy on Mandated Behavioral Assessment and Counseling, as applicable.



### **False Accusations of Impairment**

In the event of a false or malicious accusation of impairment, the Office of GME will work with the individual Houseofficer and his/her Program to take appropriate restorative measures.

### **Administrative Leave, Expectations:**

A Houseofficer on administrative leave is expected to comply with the reasonable requests of his/her Program Director, Program Coordinator, and the Office of GME, in a timely and professional manner. All Houseofficers on administrative leave must make reasonable efforts to maintain communication with his/her Program Directors, Program Coordinators, and the Office of GME unless exigent circumstances exist to prevent such communication. In the event a Houseofficer indicates that exigent circumstances exist, the Houseofficer is required to provide sufficient proof of such exigent circumstances and propose a plan for which reasonable, timely, and professional communications may occur.

A Houseofficer's failure to maintain communication with the Program and Office of GME while on administrative leave may result in disciplinary action, up to and including, termination. If a Houseofficer is investigated for impairment, the investigation and reason for any leave will be recorded as medical or administrative leave on a need-to-know basis, in accordance with applicable laws.

### **References/Associated University-Wide Policies:**

- UNM Office of Graduate Medical Education, Grievance Policy and Procedure
- Collective Bargaining Agreement (CBA) by and between UNM and the Committee on Interns and Residents (CIR), current version.

## CODE OF PROFESSIONAL CONDUCT

Dates Approved by GMEC: 6/2024

Original Date: 7/1998

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Houseofficers are responsible for professional conduct in all activities as outlined in the University of New Mexico Code of Conduct Policy (Policy 3720) and University of New Mexico HSC Codes of Professionalism and Conduct for students, residents, fellows, and faculty. Houseofficers are responsible for serving as a role model for medical students and other Housestaff and must understand that their behavior is a powerful means for educating others.

Violations of this policy and the policies referred to herein may result in disciplinary action up to and including dismissal from the Houseofficer's training program.

Violations of this policy and the policies referred to herein are subject to the grievance procedure as stated in this Manual. Nothing in this Manual, the University of New Mexico Business Policies and Procedures Manual, or the University of New Mexico HSC Codes of Professionalism and Conduct shall be construed as granting Houseofficers any rights, benefits, or privileges not explicitly provided for in this Manual or the Collective Bargaining Agreement between the University of New Mexico and the Committee of Interns and Residents/SEIU.

Professionalism expectations of all residents and fellows include, but are not limited to: logging work hours and procedures in a timely and accurate fashion, completing required trainings and surveys, didactic attendance, cooperating with investigations, providing timely and complete medical documentation, responding to emails in a timely fashion, and demonstrating respectful interactions with other medical professionals and learners, program and hospital staff, patients and families.

## **PROFESSIONAL ATTIRE**

Dates Approved by GMEC: 6/2024

Original Date: 7/1998

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Houseofficers are expected to dress and appear in a professional manner at all times when on duty of the hospital or other clinical setting. Houseofficers' dress should present an appearance consistent with their daily activities that engenders a sense of confidence, trust, and meets patient expectations. Houseofficers are expected to comply with professional attire policy of the hospital or other facility in which they are rotating. Individual departments may have additional or specific requirements for professional attire. Dress must comply with Joint Commission, OSHA and other federal standards.

## EVALUATION, PROMOTION AND RENEWAL OF APPOINTMENT

Dates Approved by the GMEC: 9/2020, 5/2022, 3/2023, 6/2024

Original Policy Date: 7/1998

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### ACGME STANDARDS:

In accordance with Sections IV.D.1.-IV.D.1.a) of the ACGME Institutional Requirements, the Sponsoring Institution must have a policy that requires each of its ACGME-accredited graduate medical education programs to determine the criteria for promotion and/or renewal of resident and fellow appointments. The Sponsoring Institution must ensure that each of its programs provides a resident/fellow with a written notice of intent when that resident's/fellow's agreement will not be renewed, when that resident/fellow will not be promoted to the next level of training, or when that resident/fellow will be dismissed.

### PURPOSE:

This Evaluation, Promotion and Renewal of Appointment Policy applies to all graduate medical education programs sponsored by the University of New Mexico School of Medicine (each a "Program"), including Programs at each participating site, and to residents and fellows participating in Programs (individually a "Houseofficer" and collectively, "Houseofficers").

### DEFINITIONS:

- "Academic Probation" means placement of a Houseofficer under close monitoring for specific academic performance concerns which, if not successfully resolved, may result in an Adverse Action, including Dismissal.
- "Academic or Clinical Underperformance/Academic Misconduct" means conduct connected to a Houseofficer's academic performance, acquisition of Core Competencies and the development of the clinical skills necessary to function as a physician in the Houseofficer's medical specialty.
- "Adverse Action" means a disciplinary action taken against a Houseofficer which alters the intended career development of the Houseofficer and which is to be accorded due process consistent with ACGME Requirements. Adverse Actions include the following:
- "Dismissal" means the act of terminating a Houseofficer participating in a Program prior to successful completion of the course of training, whether by early termination of the Houseofficer's agreement of appointment or by Non-Renewal of the agreement.
- "Non-Renewal/Non-Reappointment," or derivations of such term, means the act of not reappointing a Houseofficer to subsequent years of training prior to fulfillment of a complete course of training.

- “Non-Promotion,” or derivations of such term, means the act of not advancing a Houseofficer to the next level of training according to the usual progression through a Program.
- “Suspension” means withdrawal of Houseofficer privileges for participating in clinical, didactic or research activities associated with appointment to the Program.
- “Clinical Competency Committee (the “CCC”)” means a required body comprising three or more members of the active teaching faculty, including at least one core faculty member, that is advisory to the Program Director and reviews the progress of all Houseofficers in a Program.
- “Core Competencies” means specific educational and clinical knowledge, skills, behaviors, and attitudes in the following domains: patient care and procedural skills; medical knowledge; practice-based learning and improvement; interpersonal and communication skills; professionalism; and systems-based practice.
- “Milestones” refers to a complete set of the ACGME Milestones framework of performance levels Houseofficers are expected to demonstrate for skills, knowledge, and behaviors in the six Core Competency domains. “Milestone” refers to individual items within a set.
- “Summative Evaluation” means evaluating a Houseofficer’s learning by comparing the Houseofficer against the goals and objectives of the rotation and Program, respectively. Summative evaluation is utilized to make decisions about promotion to the next level of training or Program completion.
- “Final Evaluation” means the required overall evaluation to be completed by the Program Director for every Houseofficer upon completion of a Program.

**POLICY:**

***General***

Programs shall ensure that feedback from faculty members to Houseofficers in the context of clinical care is frequent. Faculty members must directly observe, evaluate, and frequently provide feedback on Houseofficer performance during each rotation or similar educational assignment, in accordance with this Policy and with ACGME Institutional, Common Program and Specialty/Subspecialty Requirements. Programs shall ensure that objective performance evaluations are conducted with input from multiple evaluators, no less frequently than semi-annually.

Programs shall provide a written notice of intent to a Houseofficer if: (i) the Houseofficer will Not be Promoted to the next level of training; (ii) the Houseofficer’s Graduate Medical Education Agreement of Appointment (“GME Agreement”) will Not be Renewed; or (iii) a Program intends to Dismiss the Houseofficer. Houseofficers are entitled to due process related to Non-Renewal, Non-Promotion or Dismissal (as well as Suspension), regardless of when the action is taken during the Houseofficer’s appointment. Additional information on due process rights are set forth in the School of Medicine, Office of Graduate Medical Education (“Office of GME”) Grievances and Due Process Policy (“UNM Office of GME Due Process Policy”).

## Evaluations

Each Program shall have and maintain objective procedures and criteria governing evaluation of Houseofficer performance, which procedures and criteria shall be consistent with this Policy and applicable ACGME Review Committee standards and applicable Milestones. To the extent required by the applicable ACGME Specialty/Subspecialty Requirements, each Houseofficer shall have an individualized learning plan developed by the Program and Houseofficer, that identifies the Houseofficer's goals and learning objectives, a plan for achieving the goals and objectives and includes criteria to advance the Houseofficer to a position of higher responsibility.

Written evaluations shall be conducted:

- At the end of a Houseofficer's Program rotation or at a minimum of every three (3) months by a faculty member who had direct educational contact with the Houseofficer. For block rotations of greater than three (3) months in duration, evaluations must be documented at least every three (3) months. For longitudinal assignments, evaluations must be documented at least every three (3) months and at assignment completion. More frequent feedback is strongly encouraged for Houseofficers who have deficiencies that may result in a poor final rotation evaluation.
- Semi-annually by the Program Director, or his or her designee. The Program shall use multiple evaluators (e.g., faculty members, peers, patients, self and other health care professionals) for semi-annual objective performance evaluations. Semi-annual evaluation information shall be provided to the CCC for its synthesis of progressive Houseofficer performance and improvement towards the unsupervised practice of medicine. The Program Director or his or her designee, with input from the CCC, shall meet with each Houseofficer to review and discuss the semi-annual evaluation of performance. The evaluation shall be acknowledged by the Houseofficer and shall include, but not be limited to: attainment of ACGME Milestones based on the six Core Competencies, with review of the Houseofficer's individualized learning plan (as applicable) to capitalize on the Houseofficer's strengths and identify areas for growth. If necessary, the Program Director (with input from the CCC) shall develop a remediation plan for a Houseofficer who is failing to progress, in accordance with the procedures set forth under "*Deficiencies, Remediation and Probation*" below. Objective performance assessments may be conducted more frequently than every six months, particularly if deficiencies are noted.
- Annually in the form of a Summative Evaluation of the Houseofficer's readiness to progress to the next year of his or her Program.
- At the conclusion of the Houseofficer's training, in the form of a Final Evaluation conducted by the Houseofficer's Program Director. Program Directors shall use the specialty-specific Milestones, and when applicable, the specialty-specific Case Logs (as defined by the ACGME) to complete each Houseofficer's Final Evaluation. Final Evaluations must also: verify whether the Houseofficer has demonstrated the knowledge, skills and behaviors necessary to enter into autonomous practice; consider recommendations from the CCC; and be shared with the Houseofficer upon completion

of his or her Program. A copy of the Final Evaluation of competency is retained by the Program as well as the Office of GME.

- To receive a certificate of successful completion of a Program, Houseofficers must complete programmatic, administrative, patient care, and educational requirements and competency expectations in a satisfactory manner. Certification shall be issued within one month of a Houseofficer's successful completion of his or her Program or part thereof.

UNM strongly supports and endorses each Program's use of New Innovations Electronic Evaluation System for the purpose of conducting Houseofficer evaluations. A copy of each evaluation shall be accessible to the Houseofficer (either within New Innovations or uploaded to New Innovations) and the evaluation placed in the Houseofficer's file within a reasonable time following the evaluation. Houseofficers may also place in his/her file a response to any file entry or report, including an evaluation, and may withdraw his/her response at any time.

### **Promotion, Reappointment and Renewal**

Promotion and reappointment decisions are made by the Program Director in consultation with, as needed, the Department Chair and the Senior Associate Dean for Graduate Medical Education based on the Houseofficer's readiness for advancement and the Program's criteria for promotion. It is expected that a Houseofficer promoted to the next level of training shall have the recommendation of the Department Chair; recognizing that the Program Director retains final authority and accountability for promotion decisions. A Houseofficer's reappointment is not final until the Houseofficer executes a new GME Agreement governing the subsequent Program year.

### **Notice of Intent**

In the event (i) a Houseofficer will Not be Promoted to the next level of training (including if a Houseofficer will not graduate from a Program); (ii) a Houseofficer's GME Agreement will Not be Renewed; or (iii) if a Houseofficer will be Dismissed from a Program, the Program must provide the Houseofficer with a written notice of intent.

The written notice of intent will be provided to a Houseofficer at least four (4) months prior to the end date of his or her GME Agreement end date; except that, if an issue is identified within the four (4) month period prior to the end date of the GME Agreement, or in the case of a Houseofficer with a GME Agreement for less than twelve (12) months, the Houseofficer will be notified by the Program as soon as the circumstances reasonably allow, of the anticipated Non-Promotion, Non-Renewal/Reappointment or Dismissal. Receipt of the written notice of intent shall be acknowledged in writing by the Houseofficer.

### **Deficiencies, Remediation and Probation**

The provisions set forth in this section apply to Academic or Clinical Underperformance/Misconduct. "Administrative Misconduct" as defined in the current Collective Bargaining Agreement between UNM and the Committee of Interns and Residents (CIR) (the "CBA") is governed by the Grievance Procedure and Disciplinary Action articles of the

CBA.

If an academic deficiency is identified based on evaluations or feedback (including with respect to clinical skill, medical knowledge, ethics, professionalism, attendance, or compliance with UNM policies or applicable laws and regulations), the Houseofficer will be informed in writing of the deficiency(ies), the measures the Houseofficer must meet to correct the deficiency(ies) and a timeframe for completion of such measures. Depending on the severity of the deficiency(ies) or the number of deficiencies, the Houseofficer may be placed on remediation, below. Houseofficers shall have the right to review the evaluation and any deficiencies with the Program Director (or his/her designee) or to review evaluations with the Department Chair. If a Houseofficer's Program Director determines that the Houseofficer has failed to satisfactorily cure deficiencies identified as part of the evaluation and feedback process or if the academic performance of a Houseofficer is otherwise unsatisfactory, the Program Director may, in his or her discretion, place the Houseofficer on remediation. A Houseofficer placed on remediation shall be notified in writing of the specific deficiencies, the expectations for improvement and the possible outcomes of failure to fully resolve the deficiencies or performance problems, including Academic Probation, discussed below. Remediation is not an Adverse Action and it may not be submitted for review in accordance with the UNM Office of GME Due Process Policy. If the Houseofficer satisfactorily resolves deficiencies while under remediation, the period of unacceptable academic performance does not affect the Houseofficer's intended career development.

If, following a period of remediation, the academic performance of a Houseofficer remains deficient, the Houseofficer may be placed on Academic Probation. The Program Director will designate the period of Academic Probation and identify the areas of deficiency to be corrected during such period. Academic Probation shall last for a period of one (1) to six (6) months absent specific circumstances justifying a longer Academic Probation period (e.g., the unavailability of a specific rotation to address certain deficiencies). The Program Director will meet with a Houseofficer on Academic Program regularly, to formally review the Houseofficer's progress in addressing and correcting deficiencies. Reviews shall be in writing and documented in the Houseofficer's record.

A Houseofficer who improves his/her performance during Academic Probation is not automatically reinstated or moved to non-probationary status. At the end of the probationary period, the Program Director shall conduct a written evaluation of the Houseofficer's progress based on the identified performance goals and requirements. The Program Director may solicit feedback from faculty to further inform the Program Director's evaluation. Based on the evaluation, the Program Director may: (i) remove the Houseofficer's Academic Probation status, (ii) extend the Academic Probation period, and/or (iii) take or recommend further actions, including an extension of the Houseofficer's training period or Dismissal. Academic Probation, if continued, shall not exceed six (6) months.

A Program may initiate an Adverse Action, and is not obligated to provide remediation or further Academic Probation, to a Houseofficer removed from probationary status who is unable



to continue to meet academic and clinical performance standards during his or her training. The Office of GME and Designated Institutional Official (“DIO”) must be notified and consulted prior to a Program initiating an Adverse Action. Due process procedures shall be followed.

#### **Notice of Adverse Action and Due Process**

No Houseofficer shall be disciplined, terminated or Dismissed without just cause.

A Houseofficer shall be informed in writing of a proposed Adverse Action, including, if the Program intends to renew the Houseofficer’s GME Agreement but does Not intend to Promote the Houseofficer to the next level of training or if the Program intends to the Dismiss the Houseofficer. The notice shall include a description of the proposed Adverse Action and the reasons for such action. The notice shall inform the Houseofficer that he/she may exercise due process, grievance and appeals procedures as set forth in the UNM Office of GME Due Process Policy in the Houseofficers Manual.

A copy of Adverse Action notice will be presented to the Committee of Interns and Resident’s representative assigned to UNM as quickly as practicable. The Adverse Action shall not be reported to the New Mexico Medical Board until the discipline is implemented. A Houseofficer’s compensation shall not be withheld pending an Adverse Action.

References/Associated University-Wide Policies:

- UNM Office of Graduate Medical Education: *Policy on Grievances and Due Process*
- Collective Bargaining Agreement (CBA) by and between UNM and the Committee on Interns and Residents (CIR) dated August 1, 2021.

## HOUSEOFFICER RESPONSIBILITIES

Dates Approved by GMEC: 6/2024

Original Date: 7/1998

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Responsibilities of Houseofficers at the University of New Mexico are detailed in the UNM School of Medicine Graduate Medical Education Agreement. They include, but are not limited to: patient services, education activities and seminars, teaching and supervision of other Houseofficers and medical students, orientation, committee participation, providing documentation of good physical health, CPR certification, places and hours of duty, standards of performance, and compliance with rules and policies of training sites. All Houseofficers shall conduct themselves in a manner that justifies the confidence placed in them by the citizens of the State of New Mexico and shall at all times maintain the integrity and ethics in accordance with the high responsibilities of public service. Any changes in the rotation requested may require a three-month prior notice and the permission of all affected parties. Individual programs will have additional specific responsibilities that are to be written and given to Houseofficers at the start of their training. Houseofficers should be familiar with UNM HSC Medical Staff policies and procedures found online at:

[https://hospitals.health.unm.edu/intranet7/apps/doc\\_management/index.cfm?project\\_id=1](https://hospitals.health.unm.edu/intranet7/apps/doc_management/index.cfm?project_id=1)

Each Houseofficer has electronic access to their RC (Review Committee) Program Requirements at the ACGME web site ([www.acgme.org](http://www.acgme.org)) and are provided with goals and objectives for their residency and rotation.

## HOUSEOFFICERS' SOCIAL NETWORKING GUIDELINES

Dates Approved by GMEC: 6/2024

Original Date: 7/2011

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The University of New Mexico recognizes the benefits of social networking; however, materials posted on personal websites may be discovered by others. Houseofficer information concerning individual patients, including records, images, or other materials that include any identifiable individual information, may NOT be posted on websites.

Houseofficers shall also recognize that personal information and photos may be discovered by future employers. Medical schools, residency programs, potential employers, and even law enforcement are known to monitor social networking sites for inappropriate materials and behaviors, and it is to be expected that unprofessional information will be held against you in a variety of contexts. As a physician, your ability to maintain a professional image and reputation impacts your career.

The following guidelines are basic, but essential minimums regarding your online conduct under all circumstances (including in personal use of social media):

- DO NOT post patient information or images of procedures that could be a potential HIPAA violation.
- DO NOT badmouth colleagues, boss, or the company you work for. (Always assume that this information will reach them. Nothing ever disappears from the internet). Be sure that you are not performing such activities from a University computer or during work hours. (See University Policy 2500 <https://policy.unm.edu/university-policies/2000/2500.html>.)
- DO NOT complain about lack of motivation, workload, or anything you see as a “waste of your talents.”
- DO NOT claim to have family emergencies and sick days when you do not (Assume you will be time stamped and tagged in all of your friends’ party pictures.)
- DO NOT talk about illegal activities or even legal but inappropriate activities.
- ALWAYS ASSUME everyone can see what you are writing, or that it will make its way to them at some point.

Check your security setting. They change often. Your career and professional reputation may depend on keeping your privacy protected.

When considering a professional versus personal online profile, prudent disclosure is essential. Keep in mind the following guidelines: Information on online profiling should be kept to a bare minimum on your professional profiles.

Your professional profile (e.g., on LinkedIn or other professional networking site) should include information such as:

- Name
- Professional/work contact information
- Education
- Links to professional and job-related content
- Benign hobbies
- Professional or benign profile photo

## SUPERVISION OF HOUSEOFFICERS

Dates Approved by the GMEC: 9/2020, 5/2022, 3/2023, 6/2024

Original Policy Date: 7/2012

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### **ACGME Standards:**

In accordance with ACGME Institutional Requirement IV.I, the Sponsoring Institution must maintain an institutional policy regarding supervision of residents/fellows and must ensure that each of its ACGME-accredited programs establishes a written, program-specific supervision policy consistent with the institutional policy and the respective ACGME Common and specialty-/subspecialty-specific Program Requirements. In accordance with Section III.B.4 of the ACGME Institutional Requirements, the Sponsoring Institution must oversee the supervision of residents and fellows consistent with institutional and program-specific policies and provide mechanisms by which residents and fellows can report inadequate supervision and accountability in a protected manner that is free from reprisal.

### **Scope:**

This Policy applies to all graduate medical education programs sponsored by the University of New Mexico School of Medicine (each a "Program") and to Program Directors, Program faculty, and each resident and fellow participating in a Program (individually a "Houseofficer" and collectively "Houseofficers").

### **Purpose:**

Careful supervision and observation of Houseofficers is required to determine the Houseofficer's abilities to perform technical and interpretive procedures and to ensure that patient care provided by Houseofficers is appropriate and of the highest quality. Houseofficers must be supervised in a manner that assumes progressively increased responsibilities throughout the course of training according to Houseofficer's level of education, ability and experience. This Policy specifies the mechanisms by which Houseofficers are supervised and establishes minimum guidelines for supervision of Houseofficers by members of the University of New Mexico Health Sciences Center (UNM HSC) faculty.

### **Definitions:**

- "Conditional Independence" refers to graded, progressive responsibility for patient care with defined Oversight.
- "Direct Supervision," "Directly" means the supervising physician is physically present with the Houseofficer during key portions of the patient interaction, or the supervising physician and/or patient is not physically present with the Houseofficer and the supervising physician is concurrently monitoring the patient care through appropriate telecommunication technology.
- "Indirect Supervision," "Indirectly" means the supervising physician is not physically present or providing concurrent visual or audio supervision but is immediately available

to the Houseofficer for guidance and is available to provide appropriate Direct Supervision.

- “Levels of Supervision” means direct Supervision, indirect Supervision, or oversight, as set forth in the ACGME Common Program Requirements.
- “Milestones” refers to the descriptions of performance levels residents and fellows are expected to demonstrate for skills, knowledge and behaviors in the six Core Competency domains, as set forth in the ACGME Glossary of Terms.
- “Physically Present,” “Physical presence” means the teaching physician is located in the same room (or partitioned or curtained area, if the room is subdivided to accommodate multiple patients) as the patient and/or performs a face-to-face service.
- “Oversight” means the supervising physician is available to provide review of procedures/encounters with feedback provided after care is delivered.
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#### **Policy:**

##### ***Program Supervision Policies***

Supervision of Houseofficers requires balancing multiple different institutional missions and goals while at the same time ensuring the progressive acquisition of skills necessary for establishing a foundation for each Houseofficer’s continued professional growth. Included among these institutional goals is adherence to the ACGME Institutional and Common Program Requirements and ACGME specialty-/subspecialty-specific Program Requirements.

Each Program is required to demonstrate that the appropriate level of supervision is in place for all Houseofficers engaging in patient care based on each Houseofficer’s level of training and ability, as well as patient complexity and acuity. To promote appropriate Houseofficer supervision while providing for graded authority and responsibility, each Program must have a written program-specific supervision policy, consistent with this Policy and with ACGME Requirements, that outlines the levels of supervision required for each level of training in the Program.

Program supervision policies shall be included in the Program’s manual and a copy of the policy must be on file in the UNM Office of Graduate Medical Education (“Office of GME”). Each Program’s policy must define when physical presence of a supervising physician is required.

Programs must set guidelines for circumstances and events in which Houseofficers must communicate with their supervising faculty member(s). Each Houseofficer must know the limits of their scope of authority, and the circumstances under which the Houseofficer is permitted to act with conditional independence.

##### ***Supervision General***

Consistent with ACGME requirements, each patient shall have an identifiable and appropriately-credentialed and privileged attending physician (or licensed independent practitioner to the extent allowed by the applicable Review Committee) who is ultimately

responsible and accountable for the patient's care. The identity of the attending physician or practitioner information must be made available to the Houseofficer, faculty members, other members of the health care team and patients. When providing direct patient care, Houseofficers and UNM faculty members are responsible for informing each patient of their respective roles in that patient's care.

Supervision may be exercised through a variety of methods. For many aspects of patient care, the supervising physician may be a more advanced Houseofficer. In other instances, the Houseofficer may require supervision by an appropriately available supervising UNM faculty member, either on site or by means of telecommunication technology. Within the teaching hospitals of UNM HSC, an appropriately credentialed and privileged clinical faculty member on the UNM Hospitals medical staff, shall be ultimately responsible for the supervision of the Houseofficer. The faculty/medical staff member must be privileged for the specialty care and diagnostic and therapeutic procedures he/she is supervising. It is expected that the faculty member/medical staff member will maintain active personal involvement in the care of each patient under his/her direct or consultative care and will document the patient's medical care in accordance with UNM HSC and hospital policies.

### ***Supervision Guidelines and Progressive Authority***

The privilege of progressive authority and responsibility, conditional independence and a supervisory role in patient care must be assigned by the Program Director and faculty members. The Program Director must evaluate each Houseofficer's abilities based on specific criteria, guided by the Milestones. UNM HSC faculty members functioning as supervising physicians should delegate portions of care to Houseofficers based on the needs of the patient and the skills of each Houseofficer. Supervision assignments from faculty members must be of a sufficient duration to assess the knowledge and skills of each Houseofficer. PGY-1 Houseofficers must initially be directly supervised with progression to indirect supervision as specified by the applicable ACGME Review Committee and Program policies.

At least annually each Program Director will review the ACGME specialty procedural requirements, trainee clinical activities and Milestones applicable to the Program, for the purpose of establishing and/or updating the Program's supervision guidelines. Supervision guidelines shall be distributed to and followed by Houseofficers and medical staff supervising Houseofficers.

### ***Setting-Specific Supervision Procedures***

The setting-specific supervision and documentation requirements set forth below are applicable to Program rotations at UNM HSC locations, including UNM hospital sites. A Program or Program Participating Site may have additional requirements for Houseofficer supervision applicable to the setting, not inconsistent with the standards and documentation requirements below.

1. Supervision of Houseofficers in the Inpatient Setting: All inpatient care delivered by inpatient ward or ICU teams will be directed to an appropriately-credentialed and privileged UNM Hospitals medical staff member (or licensed independent practitioner to the extent permitted by the applicable Review Committee and applicable site's medical staff bylaws). The medical staff member has the primary responsibility for the medical diagnosis and treatment of the patient.
2. Supervision of Houseofficers on Inpatient Consult Teams: All inpatient consultations performed by Houseofficers shall be documented and include the name of the consulting physician medical staff member. The Houseofficer performing the consult shall verbally notify the consulting physician medical staff member in a timely fashion. The consulting physician is ultimately responsible for all recommendations made by the consultant team.
3. Supervision of Houseofficers in Outpatient Clinics: A medical staff member must be in the clinic to oversee the Houseofficer's visits with patients. The medical staff member will interview and examine the patient at the discretion of the medical staff member, at the Houseofficer's request or at the patient's request. The medical staff member has full responsibility for the care provided, whether or not he/she chooses to verify the Houseofficer's decision with a patient interview or examination.
4. Supervision of Houseofficers in UNM HSC Hospitals' Emergency Departments: In the Emergency Department ("ED"), the responsibility to supervise Houseofficers who are providing care to patients who have not been admitted to the hospital is the same as the *Supervision of Houseofficers in Outpatient Clinics* section. The responsibility for supervision of Houseofficers who are called in consultation on patients in the ED, the supervision responsibilities are the same as the *Supervision of Houseofficers on Inpatient Consult Teams* section. The medical staff member does not need to be consulted if the Houseofficer is solely arranging a follow-up visit for the patient.
5. Supervision of Houseofficers Performing Operative and Procedural Suite Procedures: Operative, therapeutic and diagnostic procedures involving appreciable risk of morbidity or mortality performed by Houseofficers requires the active involvement of a medical staff member. For all such operative, therapeutic and diagnostic procedures, a medical staff member must be involved in the pre-procedural evaluation, decision-making and planning processes as well as during the operative, therapeutic and/or diagnostic procedure, and this involvement should be documented in the patient's medical record. In addition, a medical staff surgical member shall be physically present in the operating room with the Houseofficer during critical parts of the procedure. For less critical parts of the procedure, the surgical medical staff member must be indirectly available. Ultimately, the level of supervision provided by the medical staff member must be based on the skills, ability and level of education of the Houseofficer. The medical staff member shall document his or her involvement in the care of the patient in the procedural note.
6. Supervision of Houseofficers Performing Procedures in Locations Other than the Operating Room or Procedural Suites: Each Program Director is responsible for identifying procedures that are commonly performed by Houseofficers in the Program



in locations other than the operating room or procedural suites and for creating a list of these procedures in New Innovations. Program Directors must also regularly review each Houseofficer's experiences and training in such procedures as part of the Houseofficer's performance evaluation and determine whether the Houseofficer is required to perform each of these procedures with direct or indirect supervision. The Program Director's list of which procedures a Houseofficer is permitted to perform with direct or indirect supervision must also be maintained in New Innovations, which facilitates timely access by UNM medical staff members.

7. Specialty-Specific Additions or Exceptions to this Policy: Any additions or exceptions to these setting-specific supervision requirements may be made for specific departments, Programs or specialties. For these additions or exceptions to be approved, the request for exemption must be submitted in writing to the UNM Senior Associate Dean for Clinical Affairs and to the Senior Associate Dean for Graduate Medical Education for their review. Houseofficers may provide immediate care, including the performance of invasive procedures, in an emergency if the care is necessary to save the patient's life. This emergency care must be documented in the patient's medical record and a UNM medical staff member must be contacted as soon as possible.

**Reporting Inadequate Supervision:**

Houseofficers may confidentially report incidents of inappropriate supervision or accountability by emailing or contacting the Office of GME. Houseofficers may also report incidents of inadequate supervision or accountability to the Resident/Fellow Council, for direct reporting to the Graduate Medical Education Committee at GMEC meetings. Reports of inadequate supervision may be made in a protected manner that is free from recrimination or reprisal. Additionally, the UNM Compliance Hotline can be utilized for such reports: a toll-free hotline and web reporting tool are available 24 hours a day. The system is managed by an independent outside vendor. All complaints received are reviewed. Anyone reporting through the Hotline have the option to maintain their anonymity, and the Compliance Hotline handles the information in a confidential manner to the extent allowed by law and policy. Telephone: 888-899-6092; report online: [unm.ethicspoint.com](http://unm.ethicspoint.com).

**Oversight:**

Each Program Director is responsible for ensuring that this Policy and all supervision guidelines and policies are distributed to and followed by Houseofficers and the UNM HSC faculty. The GMEC, directly and through applicable GMEC subcommittees, will provide oversight and monitor Program and Program Director compliance with this Policy.

**References/Associated University-Wide Policies:**

- University of New Mexico Hospitals: Amended and Restated Bylaws of the Medical Staff
- UNM Hospitals Medical Staff Supervision of Physicians and Dentists in Training Policy
- UNM Health Sciences Center Documentation of Clinical Activities by Medical Staff and House Staff

## **HAND OFFS-TRANSFER OF PATIENT CARE**

Dates Approved by the GMEC: 6/2024

Original Policy Date: 7/2012

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Each program will be responsible for the development of a procedure/guideline for patient hand offs to ensure timely, efficient, and safe transfer of patient care. The procedure/guidelines must be available to all Houseofficers at the program level and copies should be on file in the Office of GME. A schedule of attending physicians and residents responsible for each patient's care must be provided by each program to the appropriate hospital entity.

## **RESIDENT/FELLOW COUNCIL**

Dates Approved by the GMEC: 6/2024

Original Policy Date: 7/1998

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Houseofficers are represented by the GME Resident/Fellow Council. The Council is a peer-selected organization. The Committee meets the first Tuesday of each month at noon, with representatives from all programs invited. The Council elects chairs who serve on the GMEC and the MEC (Medical Executive Council). Houseofficers interested in joining this or other institutional committees should contact the Office of GME.

## VOLUNTEERING

Dates Approved by the GMEC: 6/2024

Original Policy Date: 7/1998

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### **Resident Volunteer Activities are defined as:**

Unpaid clinical activity on behalf of a non-profit organization other than UNM or UNMH. Volunteer activity is not required by the UNM GME program. Volunteer activity must be limited to non-profit organizations and typically involves provision of medical services to underserved, vulnerable populations, away from the UNM Health Sciences Center or UNM campus.

### **Types of Volunteer Activity:**

The following is a list of current volunteer activities. Any additional activities should to be reviewed and approved by the UNM GME office.

- Clinical activities in non-UNM Facilities (i.e., Healthcare for the Homeless)
- Sports physicians (ball games)
- School physicals
- Camp physician (diabetic, asthma, cancer, etc.)
- Community Projects

### **Volunteer Activity Requirements:**

All resident clinical volunteer activities that will occur under the auspices of the UNM are subject to the following requirements:

- Approval of activity by the Program Director and the Chair of the resident's department.
- A written description of the resident's activity, supervision and rationale for inclusion in the resident's training activity. The written description is to be signed by the Chair of the Department and placed in the resident's residency file.
- Appropriate recording of patient care interactions is ultimately the duty of the supervising physician.
- Compliance with HIPAA regulations.
- A signature by the resident acknowledging the above summary and agreeing to the limitations specified and agreeing to wear a name tag that identifies the resident as a UNM resident.
- A designation of a supervising faculty who will be available on-site or by telephone to assist the resident during the volunteer activity. A resident cannot supervise students without a supervising physician in person or available immediately by phone.

A copy of this agreement will be sent to UNM Graduate Medical Education (GME) office and placed in the resident's residency file.

## WORK ENVIRONMENT

Dates Approved by the GMEC: 6/2024

Original Policy Date: 7/1998

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The Graduate Medical Education program is educational and is not designed to replace, nor will it result in the replacement of, employees of the training sites nor will it impair existing contract for services. Houseofficers will not take the place of training sites regular personnel in providing healthcare services to patients and will not provide full and complete technical and or professional direction of patient care but will participate in such care with the medical staff of each training site.

Educational experiences will not be compromised by excessive reliance on Houseofficers to fulfill non-physician service obligations.

Safe, quiet, clean, and private sleep/rest facilities will be made available and accessible for residents, with proximity appropriate for safe patient care.

The University strives to have the work environment be compatible with and conducive to the educational mission of the GME training program. Houseofficers are to be able to be free of harassment while training. The work environment is drug and smoke free. Equipment is available to meet federal compliance standards including OSHA. Accommodations will be made under the Americans with Disabilities Act.

Mechanisms are available within the institutions, as outlined in this handbook under Confidential counseling, and other support services, so that you may raise and resolve issues without fear of retaliation. Concerns should be reported to the Program Director, Learning Environment Office, Senior Associate Dean of GME, Resident/Fellow Council, CEEO/OEO, or the GME Office. Should the Houseofficer have concerns about adverse consequences, the issues can be addressed with the Senior Associate, Associate or Assistant Deans of GME. The GME Office has an open-door policy and may try to advise or mediate on behalf of the Houseofficers.

This handbook documents current policies as of 2022. Changes and additions are subject to approval by the GMEC and/or changes in the collective bargaining agreement, and, if not clarified at the time of this publication will be posted on the New Innovations.

## COMMITTEE OF INTERNS AND RESIDENTS

Dates Approved by the GMEC: 6/2024

Original Policy Date: 7/2006

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Residents at the University of New Mexico HSC are covered under a collective bargaining agreement. Houseofficers are eligible for membership in the Committee of Interns and Residents. For more information, please contact your local union representative or 800-CIR-8877 or [www.cirseiu.org](http://www.cirseiu.org).

## VENDOR/INDUSTRY RELATIONSHIPS AND INTERACTIONS

Dates Approved by GMEC: 9/2020, 5/2022, 6/2024

Original Policy Date: 9/2020

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### **ACGME Standards:**

In accordance with Section IV.K of the ACGME Institutional Requirements, the Sponsoring Institution must have a policy that addresses interactions between vendor representatives / corporations and resident/fellows and each of its ACGME-accredited programs.

### **Scope:**

This Vendor/Industry Relationships and Interactions Policy applies to all graduate medical education programs sponsored by the University of New Mexico School of Medicine (each a "Program" or "GME Program"), Program Directors and residents and fellows participating in a GME Program (individually a "Houseofficer" and collectively, "Houseofficers").

### **Definitions:**

- Immediate Family Member - an individual's spouse, domestic partner, brother, sister, parent, child or in-laws.
- Vendor - any firm, person or corporation, engaged in, or attempting to engage in, business or transactions with the University of New Mexico, including with the University of New Mexico School of Medicine. A Vendor includes, without limitation: pharmaceutical, biotechnology, and medical device companies.

### **Policy:**

General:

Program Directors and Houseofficers are subject to, and shall comply with University of New Mexico [Policy 3720: Employee Code of Conduct and Conflicts of Interest Policy](#) (the "Conflicts of Interest Policy") with respect to any transactions with Vendors or interactions with Vendor representatives. In accordance with the Conflicts of Interest Policy, employees, including Houseofficers, must avoid any conflict of interest that may affect their independent judgment in the impartial performance of their duties. Houseofficers may not use their positions to enhance their direct or indirect financial interest. Failure to comply with the Conflicts of Interest Policy may result in disciplinary action, up to and including, dismissal. Houseofficers are not authorized to enter into any binding financial commitment on behalf of the University, including the School of Medicine, or any Program.

Financial Disclosures:

In accordance with the Conflicts of Interest Policy, Houseofficers, as employees of the University, are required to disclose in advance, in writing, any Financial Interest he/she may have in a transaction with the University. "Financial Interest" has the meaning set forth in the

Conflicts of Interest Policy, as it may be updated or amended from time to time. Financial Interests can be either direct or indirect and can arise as the result of a relationship between the Vendor and an immediate family member of a Houseofficer.

#### Vendor Representatives/Meetings:

In accordance with the UNM Hospitals Policy on Vendor Access (the “Vendor Access Policy”), Vendor representatives accessing UNM hospitals must be registered with the University’s vendor management program and are prohibited from entering UNM hospitals and facilities without an appointment. Vendor interactions with Houseofficers shall serve an educational and/or patient care purpose. The time, place, and purpose of any Vendor interaction specific to Houseofficers, including educational sessions, must be clearly defined and approved by the applicable Program Director and UNM hospital administration as appropriate. Vendor representatives shall not wait for an appointment in physician/Houseofficer or employee lounges or call rooms and Houseofficers shall avoid interactions with Vendor representatives outside of the approved appointment. Additional information, including enforcement and compliance requirements, are set forth in the Vendor Access Policy.

#### Gifts and Gratuities:

In no event shall any Houseofficer, Program Director or Program representative accept any cash favor or gratuity, any cash equivalent or anything of any value, even if a nominal value, if offered by a Vendor to induce a patient referral, to induce the purchase, lease or rental of any item or service, or to otherwise influence a decision-making process. Program Directors may accept from Vendors, on behalf of the Program, small items of a nominal value (pens, pads, etc.), only if accepting the gift or gratuity is in compliance with the Conflicts of Interest Policy, the Vendor Access Policy and applicable department policies.

#### **References/Associated University Policies:**

- UNM Policy 3720: Employee Code of Conduct and Conflicts of Interest
- UNM Hospitals Policy: Vendor Access





*PRODUCED BY:*  
THE OFFICE OF GRADUATE MEDICAL EDUCATION  
MSC 11 6093  
1 UNIVERSITY OF NEW MEXICO  
HEALTH SCIENCES CENTER \* SCHOOL OF MEDICINE

ALBUQUERQUE, NEW MEXICO 87131-0001  
PHONE: 505/272-6225 \* FAX: 505/272-5184

[gmeoffice@salud.unm.edu](mailto:gmeoffice@salud.unm.edu)