UNC SCHOOL OF MEDICINE

THE UNIVERSITY
of NORTH CAROLINA
at CHAPEL HILL

DEPARTMENT OF PATHOLOGY
AND LABORATORY MEDICINE
BRINKHOUS-BULLITT BUILDING
CAMPUS BOX 7525
CHAPEL HILL, NC 27599-7525

T 919.966.4676
F 919.966.6718
www.pathology.unc.edu

Fellowship Program in Transfusion Medicine at UNC Hospitals

POLICY AND PROCEDURE

POLICY ON REAPPOINTMENT, NONREAPPOINTMENT, AND DISMISSAL OF FELLOWS

I. Reappointment
The duration of the Appointment to Graduate Medical Education is for a period of twelve (12) months, unless an individual resident's current resident year is extended by the Program Director due to periods of remediation, probation, or resident absence. Reappointment and/or promotion to the next level of training is at the discretion of the Hospitals and Program Director and is expressly contingent upon several factors, including, but not limited to, the following: satisfactory completion of all training components, the availability of a position, satisfactory performance evaluations, full compliance with the terms of the Agreement of Appointment, the continuation of the Hospitals' and Program's accreditation by the ACGME, and the Hospitals' financial ability A resident's appointment is expressly conditioned upon satisfactory performance of all Program elements by the resident. If the actions, conduct, or performance, professional or otherwise, of the resident are deemed by the Hospitals, GMEC or Program Director to be inconsistent with the terms of the Resident Appointment Agreement, the Hospitals' standards of patient care, patient welfare, or the objectives of the Hospitals, or if such actions, conduct, or performance reflect adversely on the Program or Hospitals or disrupt operations at the Program or Hospitals, corrective action may be taken by the Hospitals and Program Director.
II. Handling of Academic and Performance Problems, Grievances, and Appeals
Program Directors should refer to the UNC Hospitals "Guidelines for Handling Academic and Performance Problems." The Grievance Procedures Policy is given to residents and is located in the UNC Hospitals Graduate Medical Education Manual. This procedure must be followed and shared with the resident.
III. Notice of Non-Reappointment or Non-Promotion

In instances where a resident's agreement will not be renewed, or when a resident will not be promoted to the next level of training, the Program Director must provide the resident with a written notice of intent no later than four
months prior to the end of the resident's current agreement. However, if the primary reason(s) for the non-renewal occur(s) within the four months prior to the end of the Resident Appointment Agreement, programs must provide their residents with as much written notice of the intent not to renew as the circumstances will reasonably allow, prior to the end of the agreement or appointment.

1. Summary Suspensions
   The Executive Committee of the Medical Staff, the Board of Medical Examiners, the Hospitals and the Program Director each shall have the authority to summarily suspend, without prior notice, all or any portion of a resident's appointment and/or privileges granted by the Hospitals whenever it is in good faith determined that the continued appointment of the resident places the safety or health of UNC Hospitals' patients or personnel in jeopardy, or to prevent imminent or further disruption of Hospitals operations, or in the event of egregious behavior by a resident. All summary suspensions shall be reviewed in accordance with the provisions of the Grievance Procedures Policy.
2. Automatic Termination
   a. For Lack of License. Notwithstanding any provision to the contrary, a resident's appointment shall be terminated automatically and immediately upon the suspension, termination, or final rejection of a resident's application for his/her professional license. In the event of such a suspension, termination, or final rejection, a resident is obligated to report that fact to the Program Director, Department Chair, and Office of Graduate Medical Education immediately. Upon obtaining the necessary licensure, the resident may reapply for appointment to Graduate Medical Education through the clinical department and with the approval of the same individuals as if for initial appointment. Residents must be familiar with UNC Hospitals Policy on Medical License Requirements.

b. For Egregious Behavior. Notwithstanding any provision to the contrary, a resident's appointment shall be terminated automatically and immediately whenever it is in good faith determined that the resident's egregious behavior, in violation of ethical and criminal regulations or laws, has placed the safety or health of UNC Hospitals' patients or personnel in jeopardy, or has or may imminently cause serious disruption of the Hospitals
operations. Egregious behavior includes providing false information as part of the application or interview process.

In the event a resident's agreement is terminated by the Hospitals, the resident shall only be entitled to appeal rights and procedures accorded to residents and subspecialty residents as set forth in the Graduate Medical Education Grievance Procedures Policy. A resident shall not be entitled to the hearing appellate rights granted to physician members of the Medical Staff as described in the Hospitals' Medical Staff Bylaws.

1. (i) A resident may terminate his/her appointment at any time after notice to and discussion with the Program Director, unless waived by the Hospitals, on at least 30 days written notice to the Hospitals after that discussion.
2. (ii) If a resident's appointment is terminated, either voluntarily or involuntarily, the Program Director shall recommend to the Hospitals whether or not to extend credit to the resident for participation in the Program; the Program Director is not obliged to recommend that such credit be extended and the Hospitals is not obliged to extend any such credit.

Upon such termination of appointment, the resident shall:

1. (1) Receive his/her stipend through the effective date of such termination.
2. (2) Return to the Hospitals all property owned by it by or before the close of business on the effective date of termination of the resident's appointment and the appointment agreement.

IV. Non-Reappointment Based on Institutional Factors

When non-reappointment is based on reasons other than a resident's performance, such as residency closure or specific RRC actions to reduce number of residents, such non-reappointments when made by the Hospitals, GMEC or Program Director shall be final and not subject to further appeal or review and shall not be grievable under the Hospitals' grievance procedure.

V. Non-Reappointment Based on Resident Factors

When non-reappointment is based on a resident's unsatisfactory performance or noncompliance with the terms of the appointment agreement, the appropriate remediation actions shall be invoked prior to any such determination being "final" and the program director will follow the recommendations of the ACGME, respective RRCs and UNC Hospitals' recommended "Guidelines for Handling Academic and Performance Problems."

VI Reporting Obligations

The Hospitals will comply with the obligations imposed by state and federal law and regulations to report instances in which a resident is not reappointed or is terminated for reasons related to alleged mental or physical impairment, incompetence, malpractice or misconduct, or impairment of patient safety or welfare.

Written and Approved by GMEAC: Executive Committee Approval: GMEC Revised and Approved: Executive Committee Approval: GMAC Reviewed and Approved: MSEC Approval:
GMEC Reviewed and Approved: GMEC Revised and Approved: GMEC Reviewed and Approved: GMEC Reviewed and Approved: GMEC Reviewed and Approved: MSEC Approval:
GMEC Reviewed and Approved: MSEC Approval:
GMEC Reviewed and Approved: MSEC Staff Approval:
GME Reviewed and Approved: MSEC Approval:
November 1998 December 14, 1998 February 9, 2000 April 3, 2000 December 19, 2001 February 4, 2002 November 19, 2003 September 21, 2005 November 15, 2006 March 19, 2008 December 17, 2008 January 12, 2009 March 17, 2010 April 12, 2010 April 20, 2011
May 9, 2011 October 19, 2011 December 12, 2011