

## **Policy on Conduct, Professionalism, and Performance**

Effective 07/08/2019

Reaffirmed by GMEC 06/14/2024

Previous 03/10/2023

### **Conduct and Responsibilities**

Trainees should strive for excellence in all aspects of patient care and teaching. This includes professional demeanor and conduct at all times while engaged in patient care or educational activities and in communication with patients and family members. Trainees must communicate effectively and promptly with their immediate supervisors, colleagues, clinical staff, and program staff. Abusive language directed at members of the care team, clinical staff, education staff, or other members of the learning environment are expressly prohibited.

Trainees must adhere to all McGaw, base hospital, and program policies. Violations of this policy, other McGaw policies, McGaw member hospital policies, or any other deficient conduct or performance may result in disciplinary action, up to and including dismissal (separation) in accordance with the procedures set forth in the “Policy on Probation, Suspension, Non-Renewal, Non-Promotion, and Dismissal (Separation)”.

Discussion of a patient’s clinical condition, other than with the patient, should be conducted in appropriate settings and in a manner that safeguards patient privacy and confidentiality. Discussion of a patient’s clinical condition in hallways, elevators, or any other place within earshot of any patients or visitors may violate a patient's right to privacy. Trainees are responsible for knowing and complying with federal, state, and local laws and any applicable hospital policies governing patient privacy and confidentiality, including HIPAA.

No trainee, in their actions or attitudes, may mistreat or misuse confidential or proprietary information; release confidential information including electronic passwords to unauthorized persons; leave patients under their care unattended; falsify institutional or personal records; steal, remove, or be in unauthorized possession of hospital, medical school, or other persons' property; or exhibit insubordination toward their clinical supervisors. The use of non-hospital or off-site electronic equipment, tablets, phones, servers, and / or computers for patient information, research, or clinical care is not allowed.

Each McGaw member hospital maintains a policy on unacceptable conduct. Trainees are responsible for reviewing the policy for every McGaw hospital to which they rotate and complying with applicable policies.

### **Self-Prescribing / Self-Testing**

Trainees may only prescribe, administer medications, or order diagnostic studies to registered inpatients and outpatients who are under their supervised care in connection with a McGaw training program and for whom ongoing care permits knowledge of a patient’s medical history, physical examination, and results of appropriate diagnostic or screening tests. Providing “casual” prescriptions or ordering diagnostic studies for oneself, friends, acquaintances, students, colleagues, staff, or others outside of the context of an established physician-patient relationship is prohibited. Trainees may not write such prescriptions, nor may they self-prescribe medications. This policy applies to all trainees, including those who have a permanent Illinois medical license. Trainees are reminded that the liability insurance provided to them covers only their supervised practice within the training program to which they are appointed and excludes external moonlighting. Providing “casual” prescriptions represents medical practice outside of the scope of training and is

therefore not allowed.

### **Illness**

Should a trainee become ill while on duty and be unable to provide safe, high quality patient care, they should contact the appropriate supervisor to be relieved of duty. If medical attention is required, the individual should contact their personal physician or register at an acute care or emergency facility. An ill trainee should not return to duty until sufficiently recovered to carry out their duties. A trainee is expressly forbidden from the personal use of facilities, supplies, or medications at any training site to receive treatment that expedites a return to duty before they are sufficiently recovered (e.g., intravenous hydration). Similarly, a trainee may not assist with such treatment of other trainees, students, colleagues, or staff. The unauthorized use of hospital or clinic supplies or diverted patient medications is strictly prohibited and may constitute theft.

### **Appearance**

A trainee's neatness, cleanliness, and appearance should fall within accepted professional standards as determined by McGaw. Scrubs are only to be worn in clinical settings explicitly requiring their use and must be covered appropriately upon leaving the patient unit / operating room.

### **Clinical Experience and Education / Duty Hours**

Trainees must comply with the Clinical Experience and Education (CEE) Hours policy of the training program to which they are appointed and accurately log hours in New Innovations in a timely fashion. From time to time during training, trainees may receive surveys from a variety of sources regarding CEE hours. Each trainee is responsible for answering such surveys promptly and truthfully regarding their compliance with the relevant policy.

### **Information Technology**

Trainees must comply with all Feinberg School of Medicine Information Technology (IT) policies as well as those of base hospitals. Trainees who fail to comply with IT policies will face disciplinary action. Trainees will receive a Northwestern University Network Identifier (NetID) and e-mail address at orientation. The NetID and password identify the individual to the network and allow the trainee to access a variety of resources and services. The NetID is the trainee's electronic identity at McGaw. Each trainee is responsible for (1) maintaining their Northwestern University e-mail address by changing the password whenever prompted to do so, and (2) checking their e-mail at this account on a regular basis. This will be the main mode of communication from the McGaw GME Office and from Program Directors. Forwarding of e-mail to secure e-mail servers such as [nm.org](http://nm.org), [ric.org](http://ric.org) and [luriechildrens.org](http://luriechildrens.org) is permissible. Forwarding e-mail containing confidential information to nonsecure servers such as Gmail, AOL, and Yahoo is not allowed.

### **Fitness for Duty**

Trainees must always remain fit for duty, which means they must be able to perform their duties in a safe, appropriate, and effective manner. McGaw, through a clinical department Chair, Program Director, or Associate Dean for Graduate Medical Education / Designated Institutional Official (DIO) / Vice President for Academic Affairs may require that a trainee be removed from clinical care and undergo a fitness-for-duty evaluation at any time if apparent cause or reasonable suspicion exists to believe that a trainee is impaired or otherwise unfit.

A fitness-for-duty evaluation may include a comprehensive medical and psychological assessment and drug and alcohol screening. The examination results will be released to the Program Director and Vice DIO / President for Academic Affairs. Trainees shall comply with this policy and cooperate fully with its provisions. The trainee will remain on paid leave pending completion of the fitness-for-duty evaluation.

The fitness-for-duty evaluation may be undertaken in conjunction or in parallel with other investigations or disciplinary actions. A fitness-for-duty evaluation will become part of the trainee's permanent file.

A trainee found to be impaired due to suspected alcohol or drug use will be removed from patient care

responsibilities pending further evaluation in accordance with the provisions described under the Substance Use Section.

### **Substance Use**

Substance use is defined as the use of any potentially addictive, abusive, or illicit drug, *including marijuana*, or the use of alcohol to the extent of even minor impairment of cognitive or motor function. Use of such drugs in any environment or in any amount is incompatible with safe clinical performance, is a violation of McGaw policy, and may result in disciplinary action. Sick leave should be requested for the duration of time a trainee needs to use prescription medication(s) that impairs cognitive or motor function. Trainees shall not use alcohol when they may be called upon to provide, or while providing direct patient care or advice to those providing direct care (for example, when on home call).

Trainees shall not provide patient care under circumstances of possible physical, mental, or emotional lack of fitness that could interfere with the quality of that care. It is the responsibility of the trainee, upon identifying a situation in which they or any other trainee is impaired to the potential detriment of patient care, to notify the supervising physician to arrange for alternative patient care coverage.

A drug test result will be considered positive if drugs are detected in an amount above the detection limits established by the testing laboratory; a test will be considered negative if drugs are detected in an amount below these limits. Impairment of cognitive or motor functions is defined as a situation of unusual or aberrant behavior including, but not limited to, slurred speech, unsteady gait, abusive language, disheveled appearance, or diminution of fine motor coordination.

If a Program Director has apparent cause or reasonable suspicion to believe that a trainee may be under the influence of drugs or alcohol, or otherwise impaired, the trainee may be removed immediately from their duties and immediately required to submit for a fitness-for-duty evaluation that may include testing for drugs or alcohol, a medical evaluation, a referral for a psychological or psychiatric evaluation, or any other evaluation or testing deemed necessary. Apparent cause or reasonable suspicion may be based upon the Program Director or a faculty member's own observations, or information obtained from other McGaw representatives, any McGaw member hospital, or any non-McGaw clinical site. Trainees must cooperate fully with the fitness-for-duty evaluation process.

A trainee who refuses to undergo a drug or alcohol test, or any other aspect of a fitness-for-duty evaluation, as outlined above, or to sign a release authorizing disclosure of the results of the evaluation to McGaw, will be subject to disciplinary action, up to and including dismissal (separation) in accordance with the procedures set forth in the "Policy on Probation, Suspension, Non-Renewal, Non-Promotion, and Dismissal (Separation)". In addition, a trainee who tests positive for drugs or alcohol may be dismissed (separated) by McGaw in consultation with the DIO / Vice President for Academic Affairs in accordance with the "Policy on Probation, Suspension, Non-Renewal, Non-Promotion, and Dismissal (Separation)". If permitted to remain in the program, the trainee may be required to enroll in a chemical dependence and monitoring program selected by the Program Director or at the Program Director's discretion. The trainee may propose a program for review and approval by the DIO / Vice President for Academic Affairs. Prior to returning to clinical duties, McGaw may, in its sole discretion, require the trainee to submit for and pass a fitness-for-duty examination and / or sign a contract that specifies and requires expected behaviors.

Medical leave as a result of this policy shall be documented in the trainee's permanent file. If this information is requested, it shall be part of the information released to support future applications for licensure, clinical privileges, or certification to the extent permitted by law.

### **Evaluation and Performance**

Evaluations are to be used in making decisions about promotion, program completion, remediation, any disciplinary action, and dismissal (separation).

Multiple evaluators will provide oral feedback and written evaluations regarding the performance of trainees. Feedback may be provided directly to trainees and / or to program leadership. The program leadership will review any evaluations and / or feedback with the trainee on a rolling basis and in accordance with any applicable accreditation requirements. Program leadership may also share such evaluations and / or feedback with the DIO or other representatives of McGaw, McGaw's member institutions, or training sites. If the Program Director or DIO determines a trainee's performance is unsatisfactory, the Program Director or DIO will advise the trainee regarding the performance deficiencies and the expectations for improvement.

### **Basis for Evaluations**

Each trainee will be evaluated according to their performance appropriate to their level of training in the following areas:

1. Competence in patient care, medical knowledge, practice-based learning and improvement, interpersonal and communication skills, professionalism, and systems-based practice;
2. Compliance with all terms and conditions set forth in the trainee's Letter of Agreement (LOA) and this Policy on Conduct, Professionalism, and Performance;
3. Compliance with other practices, rules, regulations, procedures, and policies of McGaw; and
4. Compliance with practices, rules, regulations, procedures, and policies in place at any training location, including McGaw member hospitals and non-McGaw clinical and non-clinical sites.

**Please note that nothing in this policy prohibits you from engaging in protected activity under the National Labor Relations Act. That law supersedes anything in this policy that you may read to conflict with the law. Among other things, the law protects your right to engage in communications with others about your compensation, benefits, hours, working conditions, or other terms and conditions of employment and to make concerted complaints about those subjects to your supervisors, managers, and others. You can find a more detailed description of your rights under the National Labor Relations Act by reviewing the employee notice posting (in various languages) found [here](#).**