



QUILLEN
COLLEGE of MEDICINE
EAST TENNESSEE STATE UNIVERSITY

Policy Name: **Fitness for Duty Policy**

Policy Replaces a Previous Policy [Yes/No] (*this includes change in policy name*): **No**
If so, list name of previous policy (*include policy number if different*):

Policy Number: **ADMIN-0921-19**

Originator Name and/or Committee (*if a committee, include name of chair*): **Deidre Pierce, MD / Associate Dean of Student Affairs**

Committees, Departments, or Individuals Responsible for Implementation: **Office of Student Affairs and Office of Academic Affairs**

Original Approval Date and Who Approved by: **2-17-2022 / COM Policy Review Committee**

Revision Date(s) (*include a brief description*) and Who Approved by: **9-8-2022 / Policy Advisory Committee (addition of Vice Dean/Office of Academic Affairs to review or be notified, changed rematriculating to re-entry, revised language regarding Committee Supporting Student Health [CSSH] process, and grammatical changes).**

Effective Date(s): **2/28/2022; 9/23/2022**

Revision(s) (*briefly describe*) by Administrative Staff and Date (*these revisions do not require voting/approval by a committee and/or individual*):

Exemption(s) to Policy (*date, by what committee or individual, and brief description*):

LCME Required Policy [Yes/No]: **Yes**

Standard(s) / Element(s) Affiliated with Policy (*include Standard/Element number/name/statement*):

10.5 Technical Standards

A medical school develops and publishes technical standards for the admission, retention, and graduation of applicants or medical students in accordance with legal requirements.

Element 12.8 Student Exposure Policies/Procedures

A medical school has policies in place that effectively address medical student exposure to infectious and environmental hazards, including the following:

- **The education of medical students about methods of prevention.**
- **The procedures for care and treatment after exposure, including a definition of financial responsibility.**
- **The effects of infectious and environmental disease or disability on medical student learning activities.**

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All registered medical students (including visiting students) are informed of these policies before undertaking any educational activities that would place them at risk.

All policies will be reviewed every three years unless an earlier review is identified.

(A.) Policy Statement:

This Quillen College of Medicine (QCOM) policy outlines the process for ensuring a medical student's (student) fitness for duty meets the standards of practice as outlined by the [Admissions - East Tennessee State University - Acalog ACMS™ \(etsu.edu\)](#) policy entitled Technical Standards for Admission, Retention and Graduation.

(B.) Purpose of Policy:

The goal of this policy is to address the need to assess a student's ongoing mental/physical state and to outline necessary steps when returning to medical school and/or clinical care environment. This policy has been developed for the safety of the student and patients under the student's care. The policy also defines the procedures to be followed to ensure the student receives effective treatment with the intention to return to clinical and educational duties. This policy does not supersede or replace federal and state laws and regulations.

QCOM is required to comply with Americans with Disabilities Act (ADA) of 1990. In general, the ADA prohibits: (1) employers/schools from requiring a student to submit to a medical examination; and (2) employer/school inquiries into whether an individual has a disability. However, the protections afforded by the ADA are not without limits. Federal law permits QCOM to require a medical examination of a student if the requirement for the examination is performance-related, consistent with business necessity and if QCOM has a reasonable belief that:

1. The student's ability to perform essential functions may be impaired by a health condition
 - If the student has had exposure to infectious diseases or workplace hazards please see this policy: <https://www.etsu.edu/com/msec/documents/admin-0519-4.pdf>
 - If the student has a question about participation in patient care activities following exposure to infectious diseases please see: <https://www.etsu.edu/com/msec/documents/admin-0519-5.pdf>
2. The student may pose a direct threat (i.e., significant risk of substantial harm to self or others) due to a medical condition.

(C.) Scope of Policy (*applies to*):

All Quillen College of Medicine medical students.

(D.) Policy Activities:

The Quillen College of Medicine (QCOM) is committed to the promotion of a safe and healthy environment for our students, patients, and staff. For appropriate learning and care of patients to occur, each student must be able to perform his/her responsibilities in a safe and effective manner. Those students who are not fit for duty may present a safety risk to themselves, patients, or others and may adversely affect learning in the classroom and/or clinical setting, as well as patient care. With the safety of the student and patient in mind, it is important that individuals with a medical condition that may affect their ability to perform their duties in a safe manner receive ongoing care and support. QCOM encourages students to register with the Disability Resource Center to receive accommodations. The departments of Academic and/or Student Affairs may also be able to provide additional resources and are available to meet with a student to discuss support services available within the college. Students must meet minimal technical standards for QCOM admission, progress during the period of studies, and for graduation, with or without reasonable accommodations.

Faculty and Clinical Supervisors are responsible for the safety of students and the patients whom they treat. It is important to communicate observations of any behavior that may affect the safety of others. Supervisors must

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notify the Office of Academic or Student Affairs who will assess the immediate concern, take appropriate action and may refer the matter to the Committee Supporting Student Health (CSSH). Members of the CSSH will report the necessary information requested should student harm or safety at risk and fully cooperate with the College of Medicine Leadership in assessment and procurement of appropriate action should a student safety threat be deemed imminent. The CSSH will follow standard protocol for determining whether additional action is required that may include an extended medical leave of absence.

To ensure an individual is ready to return to their academic and clinical duties, QCOM may request an individual to provide evidence of receiving an evaluation that confirms their fitness for duty from a provider who is trained in issue-related fitness for duty evaluations.

If the student is found to be impaired, they will be relieved of their clinical/educational responsibilities until it is determined they are fit to return to their clinical/educational responsibilities. Participation in a treatment or rehabilitation program does not guarantee continued enrollment and may not necessarily prevent disciplinary action for violation of any QCOM policies. A student must comply with all treatment recommendations resulting from a fitness for duty evaluation before they are permitted to return to school. The Associate Dean of Student Affairs will oversee the evaluation process of the student, as well as plan the return to their studies. If the student requires a fitness for duty evaluation, a list of providers who have expertise in fitness for duty evaluations will be provided to the student. The student may select from one of these providers. Every effort will be made to find providers from within and outside of the ETSU Health system to allow for reasonable choice. The student is responsible for the cost of an evaluation(s). To the extent required by law or ETSU regulations, QCOM shall protect the confidentiality of the evaluation and the results. Non-compliance with a request for a fitness for duty evaluation shall be cause for disciplinary action up to and including dismissal from medical school. If a student is dismissed, they have the ability to appeal the decision to the Student Promotions Committee and the Dean per Student Promotions Committee Policy: <https://www.etsu.edu/com/msec/documents/spromo-0418-001.pdf>

Referral Process

Step One: Student advisors or faculty must report suspected students with a fitness for duty issue to the Office of Student Affairs or the Office of Academic Affairs. Self-referral by a student is also appropriate. Contact Phone: (423) 439-2019 or (423) 439-8005 or email using the Professionalism form: <https://redcap.link/profrpt> or Care Form: <https://redcap.link/qcomcare> depending on the issue of concern.

Step Two: The academic leadership from either the Office of Student Affairs or the Office of Academic Affairs will discuss with the reporting party and meet with the student to determine the next course of action. If it is determined that the student requires an extended medical leave of absence, the matter will be referred to the Quillen Leave of Absence Policy. If the leave of absence is approved, the student will be asked to have the appropriate type of evaluation (mental health, substance abuse, or physical health evaluation) done to determine a plan of treatment.

- If a student needs a mental health evaluation, they will be referred for a fitness for duty evaluation and will need an additional evaluation prior to re-entry.
- If a student requires substance abuse evaluations, they will be referred to the [Tennessee Medical Foundation – Saving Lives. Saving Careers. \(e-tmf.org\)](https://www.tmf.org) for evaluation and recommendations.
- If the student needs a medical evaluation, they will be referred to the appropriate physician, and if deemed appropriate by the Student Promotions Committee, will be referred for a fitness for duty evaluation prior to re-entry.

Step Three: The Associate Dean of Student Affairs will be the referring contact for the evaluations and will apprise the Vice Dean of Academic Affairs of the student referral. The student must sign a waiver to allow the Associate Dean of Student Affairs to review the recommendations provided by the evaluators as well as an executive summary of any completed initial evaluations. The individual student is responsible for any cost associated with the evaluation.

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Step Four: Prior to rematriculating, a summary of the fitness for duty evaluation will be reviewed by the Associate Dean of Student Affairs. Any academic leaves or adjustments will be addressed as necessary with the Student Promotions Committee.

After evaluation, the decision options are:

- Return to full duty
- Return to full duty with recommendations for follow up
- Return to part time duty with recommendations for follow up
- Not allowed to return to duty

The student, the Associate Dean of Student Affairs, and the Vice Dean of Academic Affairs will work with the appropriate entities to apply for recommended accommodations to ensure student compliance and success with the recommendations.

Continued matriculation shall be contingent upon compliance with recommendations provided by the formal evaluation. This may include participation in medical treatment programs, periodic drug screen testing and/or professional counseling. Failure to comply with the recommendations or agreed upon accommodations may result in disciplinary action up to and including dismissal from medical school. The Student Promotions Committee will determine resolution in cases where students are not compliant with recommendations. The student catalog describes the process of adverse actions and the appeal process for students.

Confidentiality/Privacy of Fitness for Duty Evaluations:

Under the Health Insurance Portability and Accountability Act (HIPAA), documents containing medical information about a student may be considered a medical record and may be regarded as confidential. This information may be shared only as permitted by law.

QCOM ensures the confidentiality of education and treatment records in accordance with the provisions of various federal, state, and university regulations, including the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, also known as the Buckley Amendment. Fitness for duty evaluations shall be treated as confidential education and treatment records protected by FERPA and shall be maintained by the Office of Student Affairs. These records may be shared only as permitted by law.

Reference:

FITNESS for duty " office of Student affairs " College of medicine " University of Florida. UF monogram. (n.d). <https://osa.med.ufl.edu/policies-procedures/medical-student-fitness-for-duty-policy/>.

Required Administrative Approvals	Date Approved
University Compliance	2/8/2022
Policy Advisory Committee	2/17/2022; 9/8/2022
Associate Dean for Accreditation Compliance	2/23/2022
Vice Dean for Academic Affairs	2/28/2022; 9/23/2022
Policy Review and/or Revision Completed By (if applicable)	Date Policy Reviewed and Approved (if applies to that department, committee, or group)
Office of the Dean	

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	Academic Affairs (<i>this includes the three-year reviews by administrative staff</i>)	9/23/2022
	Student Affairs	
	Medical Student Education Committee	
	Student Promotions Committee	
	Faculty Advisory Council	
	Administrative Council	
	M1/M2 Course Directors	
	M3/M4 Clerkship/Course Directors	
	Student Groups/Organizations (<i>describe</i>):	
	Other (<i>describe</i>):	

Notifications of New or Revised Policy (<i>if applicable</i>)		Date and Method of Notifications
	Medical Students	
	Administrative Council	
	Faculty Advisory Council	
	All QCOM Faculty	
	All QCOM Staff	
	Admissions Office for Catalog	
	Other (<i>specify</i>):	
	Posted to Educational Policy Website	9/26/2022 – emailed to Aneida for posting