

<b>Graduate Medical Education Policy</b>	Impaired Residents and Fellows
<b>Facility/Sponsor</b>	CMC/GMEC
<b>Policy Origin Date</b>	2011
<b>Revision Date</b>	September 2025

### **PURPOSE**

In keeping with Carilion Medical Center's policies regarding a drug free workplace and the health professionals' assistance impairment policy, the Sponsoring Institution is committed to maintaining a safe and positive environment for patients and learners. The objectives of this policy are to place the highest priority on the protection of patients' right to competent care, promote prompt, effective and comprehensive management of the impaired resident including prevention diagnosis and treatment - whether the impairment is from physical, alcohol, drugs, stress, or psychiatric disease - function as an advocate for colleagues in need of help, maintain a high level of concern for the sensitive and confidential nature of the processes inherent to the health issues and activities addressed in this policy, and to educate trainees and staff about illness and impairment recognition and reporting.

### **SCOPE**

This policy applies to all Accreditation Council for Graduate Medical Education (ACGME), Council on Podiatric Medical Education (CPME), and Commission on Dental Accreditation (CODA) accredited graduate medical education programs sponsored by Carilion Medical Center (CMC).

### **DEFINITIONS**

**Resident:** refers to all interns, residents, and fellows participating in CMC accredited post-graduate medical education programs.

**Impaired Resident:** within this policy, impaired resident refers to a trainee who is unable to perform clinical duties or required educational tasks with reasonable skill and safety for patients because of a physical, mental, emotional or personality disorder, deterioration of motor skills, excessive use of or abuse of drugs or alcohol, or contagious disease which could compromise patient or other healthcare workers' safety and wellbeing.

**Employee Assistance Program (EAP):** Carilion Clinic provides an employee assistance program for all employees and eligible dependents. This program is designed to help individuals manage issues impacting their wellbeing and work performance, which may include substance dependency.

**Signs of Impairment:** Impairment, which can stem from substance abuse, mental health issues, or other problems, may manifest in multiple ways including but not limited to behavioral and mood changes, changes in work performance, physical signs of fatigue or substance use, social changes, or other psychosocial factors that may indicate impairment.

### **PROCEDURE**

## 1. Prohibited Conduct

- a. Carilion Medical Center expressly prohibits the following any time a resident is representing the Sponsoring Institution: either on Carilion Clinic premises (whether on duty or not), and when providing services or attending events on behalf of Carilion Clinic.
  - i. The use of or being under the influence of alcohol or drugs
  - ii. The possession, sale, purchase, transfer, or transit of any illegal or unauthorized drugs, including prescription medication that is not prescribed to the employee or drug-related paraphernalia
  - iii. The illegal use or abuse of prescription medications
  - iv. Employees may not consume or be under the influence of marijuana or be in possession of marijuana or paraphernalia while on duty or at work, even if the employee has a valid prescription for medical marijuana.
- b. Nothing in this policy is meant to prohibit the appropriate use of over-the-counter medication that can be legally prescribed under both federal and state law to the extent that it does not impair trainees' performance or safety or the performance and safety of others. If a trainee believes they may be impaired by prescribed medication and may need reasonable accommodation, they should immediately inform their Program Director.

## 2. Process for Reporting Known or Suspected Impairment

### a. Reporting Requirement

All faculty, residents, and staff have a duty to confidentially and immediately report to an appropriate supervisor any concerns about possible impairment both in themselves and in others. Immediate need for response and/or action exists if the person making the report has a specific and reasonable suspicion that the identified resident is under the influence of drugs/alcohol or has a medical or psychiatric condition which may render the resident a danger to himself, the public or their patients while at a hospital, clinical practice or other medical setting used by residents and/or fellows or while performing clinical duties. If an individual has a reasonable suspicion that a resident is impaired while on duty, the following steps should be taken:

- i. **Self-Reporting:** Carilion Clinic desires to assist residents with impairment problems and encourages residents to contact their Program Director or Carilion Clinic's counseling resources for assistance. Residents shall not be subject to punitive actions for voluntarily acknowledging impairment. However, this acknowledgement will not excuse violations of other policies for which the resident is subject to disciplinary action.
- ii. **Report to Program Director:** either an oral or written report of the resident's behavior leading to suspicion of impairment should immediately be sent to the Program Director. The person reporting suspected impairment does not need proof of their concern, but must, to the best of their ability, provide factual information regarding the incident(s) that led to the concern. Carilion Clinic will protect, to

the extent possible, the identity of the individual reporting the suspected impairment. Carilion Clinic does not tolerate retaliation against individuals making good-faith reports of suspected impairment.

**b. Investigation of Reported Impairment**

- i. If the Program Director has genuine concern that the resident is under the influence of alcohol or drugs, the DIO should be immediately informed.
- ii. The Program Director along with the DIO, if appropriate, will discuss the initial report of concern with the individual filing the report.
- iii. All reports will be evaluated and reports deemed to be credible and/or reports that suggest a reasonable likelihood that impairment may exist will be thoroughly investigated.
- iv. The Program Director and DIO will meet with the suspected resident and inform them of the confidential notification of concern and the intent to initiate an investigation.
- v. Human Resources and Carilion Legal may also be notified of suspected impairment and may be involved in the investigation and meetings with the resident whose behavior is in question.

**c. Initial Results of Review/Investigation**

**i. No Credible Evidence of Impairment**

1. Reports not warranting review/investigation will be documented and maintained by Medical Education separate from the resident's permanent file. The initial report will be securely maintained in the Office of Graduate Medical Education, but not in the resident's permanent employee file.

**ii. Credible Evidence of Impairment**

1. If there is suspected impairment while on duty, the resident will be immediately removed from all clinical duties and will be required to undergo an assessment and/or examination. Such assessments may be conducted by Carilion Clinic EAP, a physician, counselor, or other professional as deemed appropriate. Residents may be asked to submit a drug/alcohol screening at Employee Health. If a drug/alcohol screen is warranted, the resident will be escorted by the Program Director or representative directly to Employee Health or Nursing Administrator (in the event Employee Health is not available) for immediate testing.
  - a. If the drug screen is negative for alcohol or drugs, the resident may be authorized to return to clinical duties once cleared by Employee Health and the Program Director.
  - b. If the drug screen is positive for alcohol or drugs, the resident will be removed from clinical duties until a complete review can be completed.

- c. Refusal on behalf of the resident to take a drug/alcohol screen will be deemed a positive result.
  - iii. In both instances, the Program Director and DIO will notify the suspected resident in person of the findings of the initial review and the next steps in the process.
- d. **Further Review/Investigation**
  - i. In the event an investigation finds evidence to merit concern that a resident is impaired through either confirmation of impairment or confirmed positive drug/alcohol screen, the PD and/or DIO may choose to take one or more of the following actions depending on the severity and nature of impairment:
    - 1. Recommended consultation with Carilion Clinic Employee Assistance Program
    - 2. Recommended psychiatric consultation
    - 3. Required enrollment in rehabilitation program as a condition of continued employment. Salary continuation will be determined by DIO.
    - 4. Immediate suspension of employment and salary
    - 5. Immediate termination of employment
    - 6. Report the incident to Carilion Human Resources or Carilion Legal and/or the Virginia Department of Health Professions.
- 3. **Confidentiality:** The identification, counseling and treatment of an impaired resident is deemed confidential, except as needed to carry out the policies of the GMEC or Carilion Clinic and/or as required by law.
- 4. **Appeal:** The resident has the right to appeal the findings or actions to the GMEC as described in the Discipline - Appeals and Due Process policy.
- 5. The appeal findings of the GMEC are final.

Designated Institutional Official	Reviewing Committee	Date Approved
Daniel Harrington, MD	GMEC	November 20, 2007
Daniel Harrington, MD	GMEC	January 1, 2011
Donald Kees, MD	GMEC	November 18, 2014
Donald Kees, MD	GMEC	September 15, 2015
Donald Kees, MD	GMEC	February 18, 2019
Donald Kees, MD	GMEC	September 14, 2021
Arthur Ollendorff, MD	GMEC	May 20, 2025