NORTH CAROLINA BAPTIST HOSPTIALS, INC.
POLICY AND PROCEDURE

From: Physician Services

Approved by: _____
Director, Physician Services

_____
Chair, Graduate Medical Education Committee

Prepared by: Physician Services

SUBJECT: TERMINATION/DISMISSAL OF RESIDENTS

I. Policy

It is the policy of North Carolina Baptist Hospitals, Inc. that the contract between the Hospital and the House Officer shall be deemed automatically terminated if the House Officer for any reason becomes unable to perform services required by the Agreement. Upon termination of the House Officer's appointment and the Residency Training Program Agreement, the only obligation of NCBH shall be to pay the House Officer any salary that may be due, on a prorated annual basis, up to the date of such termination. By way of illustration, and not limitation, this would apply if, for example, the physician's license to practice medicine were revoked. The Agreement between the Hospital and the House Officer shall be terminated by the Hospital:

a) if the House Officer becomes physically or mentally unable to perform the services required by the Agreement;
b) if the supervising Chief of Service determines that the House Officer is not making satisfactory progress toward achieving the educational goals of the Program;
c) if the supervising Chief of Service and Hospital President determine that the House Officer is not performing the services required by the Agreement in a satisfactory manner; or
d) if the House Officer engages in conduct or activities which the supervising Chief of Service and Hospital President determine will make continuation in the Program undesirable.

The House Officer agrees that his/her continued training is conditioned upon satisfactory performance of assigned duties and academic progress, as noted in Section 3 of the Residency Training Program Agreement. Failure to maintain such performance and progress may result in termination of the House Officer's appointment and the Agreement, subject to the appeal mechanism provided in the North Carolina Baptist Hospital's House Staff Handbook (Disciplinary/Hearing and Review). In addition, any misrepresentation by act or omission in the House Officer's application for appointment in the Residency Training Program, or documents in support thereof, or in any application for appointment to an affiliated hospital shall be basis for termination of such appointment and the Agreement.

II. Purpose

To ensure that the resident understands the conditions of employment in the training program and the consequences of the contract being broken.

III. Procedure

Should the supervising Chief of Service and Hospital President conclude that a House Officer should be suspended for misconduct or pending an investigation of his performance or conduct of activities, notice of such suspension shall be given in writing to the House Officer with a statement of the reason. If the supervising Chief of service or Hospital President determine that a House Officer should be terminated for any of the reasons stated, or other good and valid reasons, written notice of the intent of the Hospital to so terminate the House officer, together with a statement of the reasons, shall be provided to the House Officer. A House Officer notified of a suspension, or of an intent to terminate, shall receive a hearing with an "Appeals" Committee comprised of The Chief of Professional Services Executive Committee, with respect thereto if, within seven (7) days of such notice, a written notice of appeal is delivered to the supervising Chief of Service and/or Hospital President.

If the suspension or notice to terminate is based upon grounds or charges other than the professional progress or performance of the House Officer, the decision of the "appeals" Committee shall be binding upon the Chief of Service or Hospital President.

Except as noted above, withdrawal from, or termination from, the Program shall not automatically disqualify a House Officer from seeking a contract in another program. The withdrawal or termination will be a factor to consider in such cases.

Reference: Accreditation Council on Graduate Medical Education Institutional Requirements 2002-2003.

1996; reviewed 9/99; reviewed 10/02