

## Resident Agreement of Appointment: A.K.A. Resident Contracts by Paul Romanelli

### INTRODUCTION

A number of changes have occurred in the [Accreditation Council for Graduate Medical Education \(ACGME\)](#) requirements for resident contracts since the last edition of the *Guide to Graduate Medical Education in the Teaching Hospital*. New components have been added and some of the existing components revised.

The basic premise for contracts remains the same, that sponsoring institutions must assure residents are provided with a written agreement of appointment or contract outlining the terms and conditions of their appointment and the institution must monitor the implementation of these terms and conditions by the program directors. The above requirement is to be monitored by the Graduate Medical Education Committee (GMEC) insuring all residents have been properly contracted and all terms and conditions of the contracts are carried out.

The format of the institutional requirements that were in effect in 1997 clearly stated all of the components that “should” be contained or referenced in the contract plus a number that “must” be contained. The current institutional requirements, although not as well formatted as the 1997 version, still clearly state the components of a resident contract. In addition, the previous “shoulds” have all been changed to “musts.” This chapter provides a summary of the changes and information needed to make sure your resident contracts are in compliance.

### REQUIRED COMPONENTS

The required components of resident contracts can be found under [Section III, Subsection D](#), beginning on page six of the current (effective 7/1/03) ACGME Institutional Requirements. As stated earlier, there have been new components added to what must be included in resident contracts, plus revisions of old components. New components include conditions for reappointment, nonrenewal of agreement of appointment, duty hours, and restrictive covenants. A good starting point for discussion is “nonrenewal of agreement of appointments.”

“The sponsoring institution must provide a written institutional policy that conforms to the following: In instances where a resident’s agreement is not going to be renewed, the Sponsoring Institution must ensure that its ACGME-accredited programs provide the resident(s) with a written notice of intent not to renew a resident’s agreement no later than four months prior to the end of the resident’s current agreement. However, if the primary reason(s) for the nonrenewal occurs within the four months prior to the end of the agreement, the Sponsoring Institution must ensure that its ACGME-accredited programs provide the 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.”<sup>1</sup> Simply stated, if a resident is on probation when the four months prior to the end of the

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