

Promotion and Termination

by Andrew T. Filak, Jr.

Residency training programs must address the issues of resident advancement and termination in a forthright manner. Clearly delineated standards and operating procedures protect both the program and the resident. All such standards and procedures must be distributed to program administrators, residents, and faculty.

All individuals responsible for the administrative oversight of graduate medical education (GME) programs should develop an ongoing working relationship with appropriate legal counsel. This chapter offers a framework for dealing with the issues of resident advancement and termination and is not designed to provide specific legal advice.

DEFINITION OF TERMS

Promotion: Promotion is advancement to a higher rank or title and must be based on merit. In the context of graduate medical education, contract renewal is usually accompanied by promotion.

Reappointment: Reappointment is equated with renewal of a resident's contract. Reappointment is usually accompanied by promotion.

Nonrenewal of agreement of appointment (non-reappointment): Nonrenewal means that a resident is not offered a successive contract for appointment at the end of the current appointment period (usually the end of the academic year). As per ACGME guidelines: (1) nonrenewal is subject to the institutional grievance procedure; (2) residents must, when possible, be given four months notice of intent not to renew.

Dismissal: The active process of terminating a contract for cause. Dismissal is subject to the grievance procedure.

Summary suspension: The immediate termination of all clinical activities within a program. Summary suspension is usually only invoked when there are significant concerns that patient safety is jeopardized and a resident must be immediately removed from patient care.

Termination: The separation of a resident from the training program. Most terminations occur upon successful completion of the program and not as a result of dismissal or nonreappointment.

PROMOTION

Promotion is advancement to a higher rank or title and must be based on merit. Decisions regarding advancement within a residency training program should be based on clearly documented evidence that a resident has demonstrated the appropriate competence. The decision whether to promote a resident is determined by the residency director with the advice of the faculty of the program. The ACGME general competencies provide a framework for developing a system for the evaluation of resident performance. The [ACGME Institutional Requirements](#) (IV.B.6) state that it is the responsibility of the institutional Graduate Medical Education Committee to "assure that each program

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