



HIV ADVANCED (YEAR 2) PHARMACY RESIDENCY

DISCIPLINARY ACTION POLICY AND PROCEDURE

Preamble:

It is expected that throughout the program, the resident will conduct him/herself in a manner consistent with provincial and institutional professional codes of ethics and codes of conduct. Unprofessional attitudes or behaviours will not be tolerated, and may be grounds for termination from the residency program.

While we do not anticipate problems occurring during a residency program, the HIV Advanced (Year 2) Pharmacy Residency Program has adopted the following policy and procedure for handling issues related to disciplinary action regarding complaints or concerns about the resident's performance. This may include complaints regarding academic performance, non-professional behaviour or attitudes, or other incidents involving patients and/or staff. Disciplinary action may result from consistently unsatisfactory or low performance that may place patients, the preceptor(s) and/or the site at risk of harm or from any unprofessional actions or behaviours.

Depending upon the nature of the complaint, one or more of the following conditions may be imposed by the residency coordinators in consultation with the Residency Advisory Committee.

A. Observational Status

- Definition: Resident is identified as at risk of failing a rotation or has received a rating less than three on a final rotation assessment (refer to rotation remedial policy), or the preceptors, coordinators and/or healthcare team have observed unprofessional behaviour or an incident.
- Observational status is a step that may be utilized prior to probation.
- The primary preceptor and residency program coordinator(s) will meet with the resident at the earliest possible date, outlining in writing the areas of deficiency and a detailed action plan for the rest of the rotation. This plan is signed and dated by the resident, preceptor, and residency program coordinator(s).
- A copy of this written action plan will be kept in the resident file.
- If after a specified amount of time, progress has not been made, the resident may be placed on probation.
- The resident may not appeal observational status.

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B. Probation Status

- Definition: Resident fails to progress (during observational status) and cannot consistently demonstrate the expected standards.
- A resident may be placed on probationary status by the residency program coordinator(s) and director(s).
- The resident's residency program schedule may be disrupted.
- The resident will be notified verbally and in writing by the residency program coordinator(s) that that his/her progress or professional development is poor and that continuation in the program is at risk.
- The specific areas of concern and rationale for the decision will be clearly documented. Example(s) of resident deficiency will be recorded.
- After discussion, the resident and residency program coordinator(s) will outline a specific remedial plan with a specific follow up time line. In general, re-evaluation of the resident will occur after approximately 30 days. Some probationary periods may be for shorter or longer periods of time depending on the specific area(s) of concern. The resident and program coordinator(s) will sign and date this document. A copy of the remedial plan will be kept in the resident's file.
- If the residency program coordinator(s) is/are satisfied that the resident has corrected his/her identified deficiencies, then the resident will be notified in writing that the probationary status has been lifted.
- If the resident has NOT corrected his/her identified deficiencies by the end of the probationary period, the residency program coordinator(s) may recommend remedial work or program dismissal. Specific type and duration of remedial work will be determined based on the resident's learning needs and/or professional misconduct as identified by preceptor and residency program coordinator(s).
- The pharmacy residency director(s) and the Residency Advisory Committee will be consulted where program dismissal is recommended.
- The resident may not appeal remedial work. The resident may appeal program dismissal. (See below)

C. Suspension from the residency program

- Definition: Resident is temporarily removed from his/her scheduled residency program.
- The residency program coordinator(s) and director(s), with approval from the Residency Advisory Committee, may suspend a resident with or without pay, depending on the circumstances and at the discretion of the department.
- Suspension may be considered, but is not limited to any situation where a serious professional charge is brought against the resident or there is concern that the resident's performance of

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his/her duties is seriously compromised or may constitute a danger to patients, the preceptors and/or the site.

- Investigation will be initiated within 7 working days, with a goal for judgment within 30 days. This will allow the pharmacy department time to investigate the matter and determine what action it deems necessary. Human Resources policies and procedures will be followed.
- The resident will be notified of his/her suspension verbally and in writing. The resident, residency program coordinator(s) and director(s) will sign and date this document. A copy of the suspension document will be kept in the resident's file.
- Suspension will be lifted when the investigation is completed. The residency program coordinator(s) may adjust the remaining residency program schedule as needed to minimize any further disruptions.

D. Dismissal from the residency program

- Definition: Resident is permanently removed from his/her scheduled residency program.
- Upon recommendation of the residency program coordinator(s) and directors(s) and approval of the Residency Advisory Committee, a resident may be dismissed during the term of the residency program for unsatisfactory performance or conduct. Examples of such unsatisfactory performance or conduct include, but are not limited to:
 - Resident performance consistently fails to meet the expected standards set for the training program with minimal or no improvement in performance (ie, failing more than one rotation)
 - Performance which presents a serious compromise to acceptable standards of patient care or jeopardizes patient welfare
 - Unethical conduct
 - Illegal conduct
 - Excessive tardiness and /or absenteeism
 - Unprofessional conduct
 - Job abandonment [3 consecutive days absent from the program without notice to the preceptor and/or residency program coordinator(s)]

RESIDENT APPEAL OF PROGRAM DISMISSAL

- A resident may submit an appeal of the dismissal in writing to the Residency Advisory Committee (RAC) within 7 business days of dismissal. This group, excluding the residency program coordinator(s) and director(s) will provide judgement on the case.

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- Failure to appeal within the prescribed 7 business days shall constitute waiver of the option of appeal and the resident's acceptance of the program dismissal.
- The RAC will set a time, date and place to hear the case. This will be done within 30 days of written receipt of the appeal.
- Prior to the hearing, the resident, residency program coordinator(s) and director(s), and RAC shall receive copies of:
 - The pharmacy department resident file: including all reports, assessments and recommendations related to performance and dismissal
 - The resident's letter of appeal
 - Any other documentation or material submitted related to the facts and statements concerning the reasons for dismissal. Note: Additional material submitted by the resident or residency program coordinator(s) and/or director(s) must be received by the RAC within 5 days prior to the hearing. Material shared after this date will not be allowed into evidence.
 - All documents shall be deemed confidential and returned to the pharmacy department office after a decision is rendered.
- At the hearing the resident will be given an opportunity to present his/her case to the RAC. Failure of the resident to attend the hearing shall constitute waiver of the option of appeal and the resident's acceptance of the program dismissal.
- Similarly the residency program coordinator(s) and /or director(s) will be given an opportunity to present their recommendation of program dismissal to the RAC.
- The RAC will then meet in private to discuss the evidence presented. This group will then provide judgment on the case. The decision of the RAC will be final.