

GME Policy #: II-H	Graduate Medical Education Policy & Procedures Pennsylvania Hospital	Page 1 of 3 Effective: 06/18/2008
	Subject: Accommodation for House Staff with Disability	

Pennsylvania Hospital of the University of Pennsylvania Health System (“Hospital” or “PAH”) is committed to practices which do not discriminate on the basis of disability and do provide a safe, healthy work place that promotes high quality, safe patient care. Consistent with the spirit and intent of this commitment, the Hospital has developed this policy regarding the rights and responsibilities of qualified house staff with disabilities and house staff with substance abuse problems.

Purpose

The purposes of this policy are to: (1) ensure protection of the legally-protected civil rights of qualified house staff with disabilities and to (2) ensure the safe provision of patient care by addressing substance abuse among house staff.

Scope

This applies to all house staff in all postgraduate training programs. House officer refers to all interns, residents and subspecialty residents (fellows) enrolled in a Pennsylvania Hospital postgraduate training program.

Implementation


House staff are responsible for requesting accommodation and following the process set forth below. Program directors are responsible for engaging in an interactive process with house staff as set forth below, and may consult with Human Resources and/or the Office of Graduate Medical Education (GME).

DEFINITIONS

For the purpose of this policy, the terms listed below are defined as follows:

Disability refers to a physical or mental impairment that substantially limits one or more of an individual’s major life activities. Any temporary condition, condition remediated by medication, therapy, or other treatment, or current illegal use of drugs or prescription drugs is *not* a disability, nor is being under the influence of alcohol or illegal drugs.

Major Life Activities include functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, and learning.

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Direct Threat refers to a significant risk to the health or safety of either a disabled individual or others that cannot be eliminated by reasonable accommodation.

Qualified Individual with a Disability refers to an individual with a disability as defined above who, with or without reasonable accommodation, can perform the essential functions of his or her position without posing a direct threat.

PROCESS


A house officer who requires an accommodation to perform safely the essential functions of his or her position must report such need to the program director as soon as practicable. PAH will not disseminate this information except to the extent consistent with business necessity and safety or as may be required by law. Supervisors may be advised of such information to the extent necessary to implement an accommodation. First aid, medical or safety personnel may be advised of such information if necessary in case of emergency.

A program director who receives an accommodation request should review the request with the house officer (or make arrangements with respect to the same), and may also consult with Human Resources, GME, the Office of the General Counsel and/or medical or vocational experts to determine whether the house officer is disabled and whether any accommodation proposed is reasonable or might create an undue hardship or direct threat. The house officer is required to participate in an interactive process with the program director (or a designee) to determine whether a reasonable accommodation exists.

Any program director with actual knowledge that a house officer has a disability that is affecting the house officer's ability to perform essential functions and/or creates a safety risk should meet with the house officer to determine if a reasonable accommodation exists and is necessary.


House staff who due to any impairment or disability are unable to perform any essential function or pose a safety risk must report this inability to the program director or department chair.

Any disabled house officer who is not a qualified individual with a disability cannot remain an active program participant. In certain cases it may be necessary for a house officer to take leave due to disability and/or during the time that a reasonable accommodation is being

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identified or implemented. Leave eligibility shall be determined in accordance with GME Policy #II-E Vacation and Leave for House Staff. Prior to returning to duties, a house officer may be required to obtain certification from a treating physician stating that he or she is able to perform safely required duties.

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