I. PURPOSE

To establish an institutional policy regarding Counseling and Support Services to assist program directors and residents on finding resources for dealing with physician impairment and substance abuse.

II. SCOPE

This policy is directed to all housestaff.

III. DEFINITION

Housestaff - refers to all interns, residents and subspecialty residents (fellows) enrolled at RUTGERS Robert Wood Johnson Medical School postgraduate training program. A member of the housestaff may be referred to as a house officer.

An impaired house officer is one who is unable to participate within the University community with requisite skill and safety. This impairment may be due to drug and/or alcohol dependency, mental disorder, or other medical disorders. The signs and symptoms of such impairment could include but are not limited to a persistent pattern of the following:

A. Patient injury and/or formal complaints
B. Unusual or inappropriate behavior
C. Negative changes in performance of assigned duties
D. Frequent or unexplained absences and/or tardiness from duties
E. Frequent or unexplained illnesses or accidents
F. Conduct which may constitute violations of law, including citations for driving while impaired
G. Significant inability to contend with routine difficulties and act to overcome them

IV. Responsibility/Requirements

A. Policy

Physical and mental disorders and alcohol and other drug abuse or dependencies are often treatable. It is the policy of the University to assist impaired housestaff (as defined above) in obtaining treatment, when such assistance does not adversely affect the University’s ability to safeguard the public health and effectively discharge its missions.

This policy focuses on the behavior of the impaired house officer and its impact on the house officer and others, not on any underlying medical condition or disability. If impairment is caused by a disability, it shall be the house officer’s obligation to comply with Rutgers Biomedical and Health Sciences Policy, Individuals with Handicaps/Disabilities, 00-01-35040:00 with regard to requests for accommodation.

Impairment of housestaff due to substance abuse and other forms of mental and physical disorders adversely affects all aspects of the University’s missions. These disorders may impair work performance and/or the provision of patient care. Conduct related to impairment may be sufficient grounds for disciplinary action, including dismissal, and may require immediate action to protect the health and safety of others.

The program director of the impaired house officer’s training program shall be responsible for restricting and monitoring patient care privileges. In the event that the impairment poses a risk for patient care, clinical practice privileges and clinical duties shall be suspended immediately pursuant to existing University procedures.

Where an incident may involve a violation of Federal, state or local law, the Office of Legal Management may be consulted to determine whether there is an affirmative duty to report the violation or take other action.

Confidentiality of all referred and identified housestaff and of individuals making referrals shall be maintained to the extent possible and permitted by law.

B. Preliminary Report and Investigation

If any individual working in the hospital has a reasonable suspicion that a house officer is impaired, the following steps should be taken:

1. A written report shall be made to the Department Chair or Residency Program Director.
2. If, after discussing the incident(s) with the individual who filed the report, the Chair believes there is sufficient information to warrant an investigation:

a. The Director/or Chair shall contact the Housestaff Assistance Committee which will have the basic functions:

Assessment of reports of impairment;
• presentation of concerns to identified housestaff;
• referrals for diagnosis and treatment;
• monitoring of impaired housestaff until final disposition;
• referral of housestaff who are not cooperative or who are non-compliant in the evaluation, referral and/or treatment to the appropriate program director for possible disciplinary or other action.

a. The composition of the Housestaff Assistance Committee shall consist of: The Dean(s) of the medical school shall appoint the members of the committee. The committee shall have representation by the School's administrator of graduate medical education, program directors, faculty/attendings and senior housestaff. One or more individuals with expertise in mental health and in addiction/substance abuse. Each committee shall name a chair and establish its own procedures and meeting schedule. Please refer to the University Policy on Impaired Housestaff, # 00-01-20-86:00 for detailed explanation on the “Functions of the Housestaff Assistance Committee”http://www.rutgers.rwjms.edu/oppmweb/Policies/HTML/AcademicAff/00-01-20-55_00.html

c. A list of the Housestaff Assistance Committee members shall be available at the education office of each patient-care facility participating in RUTGERS Robert Wood Johnson Medical School housestaff programs.

d. Each health care facility participating in the graduate medical program shall identify a contact person to administer the policy at that institution, report to the committee and the program director as indicated, and assume other duties including assuring appropriate reporting to the Board of Medical Examiners.

e. The committee shall prepare an annual report and submit to the Deans, school administrators responsible for Graduate Medical education.

C. Urine and/or blood testing for drugs

There shall be no mandatory, routine use of urine or blood testing for drugs. However, where there is a reason to believe that impairment is the result of substance abuse and the house officer refuses to submit to drug testing, the University reserves the right to take disciplinary action or
other action as may be deemed appropriate to protect the health and safety of patients, students, other house officers and employees. Testing may be performed by the selected treatment program. The committees may also recommend drug testing to a house officer to help rule out the existence of a substance abuse problem. Drug testing may be required to verify a drug-free state during treatment and as a part of the follow-up and monitoring after the conclusion of formal therapy.

D. Confidentiality

The Housestaff Assistance Committees shall make every effort to maintain the confidentiality of referred individuals to the extent possible and permitted by law. Only case numbers rather than individuals’ names shall be used during meetings and in records. Files involving impaired housestaff shall be stored under lock separately from personnel records. Inactive files and files of housestaff who have left the University shall be sealed and stored separately. If a house officer is referred to a state assistance program, the appropriate files shall be shared with that program, and a notation of the sharing kept at the University.

E. University Sanctions

Any house officer who violates the University’s Drug-Free Workplace policy and the standard of conduct described within, will be subject to disciplinary action up to and including termination from the University and will be reported to the proper legal authorities for prosecution.

When a house officer is convicted under any criminal drug statute for any act occurring within the workplace, he/she must report this incident to the relevant department chair or immediate supervisor within five days whereupon the supervisor should apprise the appropriate Dean as well as Legal Management.

Approved by GMEC on 2/23/99                         Amended 11/12/02