

Policy: <b>Recruitment and Appointment of Residents</b>	Effective Date: 04/2019
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Replaces: V3	
Authorized by: Graduate Medical Education Committee	Page 1 of 5

**PURPOSE**

To define the requirements and procedures for eligibility and appointment of residents to residency programs.

**SCOPE**

1. Department of Medical Education
2. Baptist Health Medical Center - North Little Rock
3. Baptist Health Medical Center - Little Rock
4. Baptist Health Medical Center - Conway

**POLICY**

1. The eligibility, recruitment and appointment of residents to programs of the Sponsoring Institution is based on, and is in compliance with, the institutional, and specific program requirements of the Accreditation Council for Graduate Medical Education (ACGME).
  - a. At a minimum, an applicant must meet one of the following qualifications to be eligible for appointment to an program:
    - i. graduation from a medical school in the United States or Canada, accredited by the Liaison Committee on Medical Education (LCME);
    - ii. graduation from a college of osteopathic medicine in the United States, accredited by the American Osteopathic Association (AOA);
    - iii. graduation from a medical school outside of the United States or Canada, and meeting one of the following additional qualifications:
      - (1) holds a currently-valid certificate from the Educational Commission for Foreign Medical Graduates prior to appointment;
      - (2) holds a full and unrestricted license to practice medicine in a United States licensing jurisdiction in his or her current ACGME specialty/subspecialty program;
      - (3) has graduated from a medical school outside the United States and has completed a Fifth Pathway program provided by an LCME-accredited medical school.
  - b. Since pursuing a career in Arkansas is desired, no program shall admit a resident that the Arkansas State Medical Board (ASMB) will not consider for an unrestricted Arkansas license. See Arkansas Medical Practices Act 17-95-401 through 17-95-407 on Licensing, Regulations 3 & 14 of the Regulations of the Arkansas State Medical Board. An educational license is not sufficient to meet this eligibility requirement.

- i. Successful completion of any step of the USMLE or COMLEX in no more than 3 attempts per step (ASMB Regulations 3 & 14).
  - c. An applicant must be able to carry out the duties as required of the residency program.
  - d. An applicant must demonstrate the following English language proficiency to the satisfaction of the Program Director:
    - i. Proficiency in reading and writing (printing) English text,
    - ii. Proficiency in understanding spoken English on conversational and medical topics, and
    - iii. Proficiency in speaking English on conversational and medical topics.
  - e. Any appointed resident found to be in violation of the English proficiency eligibility requirement will be referred, at the expense of the program, for appropriate remediation. If the Program Director determines the resident's lack of English proficiency implicates patient safety, the resident will be immediately suspended, pending appropriate remediation.
  - f. Each program must establish and implement written criteria and procedures for the eligibility, application and selection processes of residents based on this policy. Implementation of the program policy is the responsibility of the Program Director, and/or departmental faculty.
    - i. Other eligibility requirements may include, but are not limited to, the following:
      - (1) Application submitted only through the Electronic Resident Application System (ERAS), if available and participation in the National Resident Matching Program (NRMP) or other matching process. If not using NRMP, it is strongly recommended the program's eligibility include a time deadline by which person must be physically present to begin the program.
      - (2) A maximum length of time elapsed since completion of medical school training.
      - (3) A maximum length of time elapsed since the practice of medicine as a physician.
      - (4) A commitment to complete the entire residency program.
      - (5) A commitment to taking and passing the specialty boards.
      - (6) The ability to reside continuously in the U.S. for the entire length of training.
  - g. A program's compliance with the terms of this policy is monitored before the beginning of each academic year when the Program Director and/or Program Coordinator submits to the GME office verification that all incoming residents of the program meet the eligibility requirements.
2. The program must not discriminate with regard to sex, race, age, religion, color, national origin, disability, veteran status, genetics, sexual orientation, gender identity, or any other protected status.

3. Programs that sponsor visas must plan for the additional administrative burden and financial resources required for sponsorship. Frequently, foreign nationals require extended time (funding) in the program due to immigration document processing.
4. Transfers must meet eligibility and selection criteria and successfully complete the criminal background check.
5. Health insurance and long term disability benefits will begin for the residents and their family on the first officially recognized day of the program.
6. Professional liability coverage will be provided for the residents to include legal defense and protection against awards from claims reported or filed during participation in any program, or after program completion if the alleged acts or omissions are within the scope of the program.
7. The applicants (i.e., person invited for an interview) should receive, either through written or electronic means, the terms, conditions and benefits of appointment (and employment). It is the responsibility of the Program Director to ensure applicants receive these documents. The application process should include information regarding the following:
  - a. financial support; vacations; parental, sick, and other leaves of absence; and professional liability, hospitalization, health, disability and other insurance accessible to residents and their eligible dependents.
8. All candidates for residency positions will be notified during the interview process that all appointments to residency positions are contingent upon successful completion of a pre-employment screening including a criminal background check and confirmation by an OIG exclusion check that the resident is not excluded by CMS from billing for his or her professional services.
9. The Sponsoring Institution will provide residents with a written copy of the Resident Agreement of Appointment contract outlining the terms and conditions of their appointment to a program. The Sponsoring Institution must monitor each of its programs with regard to implementation of terms and conditions of appointment.
  - a. The contract/agreement of appointment must directly contain or provide a reference to the following items:
    - i. resident responsibilities;
    - ii. duration of appointment- not to be longer than 1 year but may exclusive of initial orientation, under some circumstances, be less than 1 year;
    - iii. financial support for residents;
    - iv. conditions for reappointment and promotion to a subsequent PGY level;
    - v. grievance and due process;

- vi. professional liability insurance, including a summary of pertinent information regarding coverage;
  - vii. hospital and health insurance benefits for residents and their eligible dependents;
  - viii. disability insurance for residents;
  - ix. vacation, parental, sick, and other leave(s) for residents, compliant with applicable laws;
  - x. timely notice of the effect of leave(s) on the ability of residents to satisfy requirements for program completion;
  - xi. information related to eligibility for specialty board examinations; and,
  - xii. institutional policies and procedures regarding resident duty hours and moonlighting.
10. A resident is considered appointed in the residency when all registration information has been submitted to the GME office and the pre-employment screenings have come back cleared.
- a. Registration information is determined by the GME office and may include, but not be limited to:
    - i. Resident Agreement of Appointment (contract)
    - ii. medical records agreement
    - iii. attestation acknowledging receipt of Graduate Medical Education Committee (GMEC) policies/procedures and terms and conditions of appointment, and benefits
    - iv. confidential practitioner health questionnaire
    - v. postdoctoral medical education biographical data form
    - vi. Verification of successful graduation if previously anticipated.
      - (1) For graduates of US or Canadian medical schools, this includes a final official transcript or letter from the registrar and a notarized copy of the diploma.
      - (2) For graduates of medical schools outside the US or Canada, this includes a currently valid ECFMG certificate.
    - vii. long term disability form
    - viii. I-9 state and federal tax forms
    - ix. direct deposit authorization form
    - x. copy of valid VISA
    - xi. documentation of a negative drug and nicotine screen no more than 30 days prior to start date
    - xii. evidence of successful completion of criminal background check with favorable results.
    - xiii. confirmation by an OIG exclusion check that the resident is not excluded by CMS from billing for his or her professional services.
11. If an applicant's required training time will be extend beyond the initial residency period (IRP) assigned by CMS for funding, arrangements must be made through



MEDICAL EDUCATION PROGRAM

the DIO and Program Director. An example is a resident who changes programs by re-entering the match, since CMS does not ever assign a new IRP.

## **RELATED POLICIES**

*Created 09/2016*

*Reviewed 04/2019, 02/2021*

*Revised 04/2019*