

SAN MATEO COUNTY HEALTH SYSTEM  
BEHAVIORAL HEALTH AND RECOVERY SERVICES

DATE: September 20, 1993

BHRS POLICY: 93-06

SUBJECT: Psychiatry Residency Program Procedures for Resolving Performance and Conduct Problems

AUTHORITY: Divisional

AMENDED: December 8, 2004, January 14, 2015

PURPOSE:

To establish procedures for resolving performance and/or conduct problems. The Residency Program Director will determine whether the issue under review is performance and/or conduct related and in consultation with the Medical Director, appropriate action will be taken.

Psychiatry Residents are also subject to relevant BHRS and County policies which can be found in the Employee Relations Handbook.

POLICY AND PROCEDURE

I. Performance Problems

The Residency Program Director will review each resident's academic/clinical performance and professional behavior at a meeting with each resident as needed and determined by the Program Director. When a resident's academic/clinical performance and professional behavior fail to meet accepted standards, the Program Director will meet again with the resident at the discretion of the Program Director. The resident will have the option of designating one Chief Resident to attend this meeting. The purpose of this meeting will be to clarify expectations and develop a written plan of improvement specifying steps needed to improve academic and/or clinical performance and the time frame for re-evaluation. The plan will also list the steps the Residency Program will take to assist the resident in improving.

If these steps have not resulted in improvement by a specified time, the following procedures will be instituted when the Director re-evaluates the resident's performance.

- A. The Residency Program's Clinical Competence Committee (CCC) will review all documentation of clinical performance and professional behavior problems including, but

not limited to, written evaluations. After review, the CCC will advise the Program Director regarding resident progress including remediation and release.

The BHRS Medical Director, or a designated manager, and the Residency Program Director will meet with the resident. The Assistant and/or Associate Program Director may also be present at this meeting. The resident will have the option of designating one Chief Resident to be present. The Medical Director, Program Director (s) and the resident will be provided with and will review prior to the meeting any documentation of performance as well as the recommendation of the CCC for clinical performance and professional behavior issues.

- B. At the meeting, the Medical Director, or a designated manager, and Program Director(s) will review and openly discuss the content of the documentation. The resident will be asked to respond to any perceived factual inaccuracies or disagreements with the documented issues.
- C. The Medical Director, or a designated manager, will make a determination about the resident's academic/clinical competence, and will make a written recommendation to the Director of BHRS that will include the reasons for that recommendation. The recommendation will be either 1) continue the resident in the program, 2) continue the resident conditionally, or 3) terminate the Resident from the program.
- D. If the resident is continued conditionally, the CCC will reconvene in 45 days to review the resident's progress and advise the Program Director regarding resident progress. After that review, the Medical Director, or a designated manager, and the Program Director (s) will also reconvene to review the CCC recommendation. The Medical Director will make a recommendation to the Director of BHRS to either continue the resident or terminate the resident from the program.

## II. Conduct Problems

If a resident fails to meet accepted standards of conduct, he/she may be subject to corrective action. Corrective action includes verbal and written counseling, warning letters, and letters of reprimand. Disciplinary action would not be applicable. As Psychiatric Residents are in unclassified positions, the provisions of the Memorandum of Understanding and Civil Service Rules do not apply.

Conduct problems include, but are not limited to: absence without leave; conviction of a criminal offense which is substantially related to the employee's position; dishonesty; damage to public property or waste of public supplies or time through willful misconduct; insubordination; sexual harassment; disrespectful or discourteous conduct toward a County officer or official, another employee or a member of the public; excessive absenteeism or tardiness; impairment due to being under the influence of alcohol or drugs while at work or the use of alcohol or drugs during working hours except where such drugs have been prescribed and are being used in accordance with specific instructions from a licensed physician; or failure to meet the terms of his/her contract.

When a resident is alleged to have engaged in misconduct, an investigation will be conducted to determine whether the allegations are substantiated and if warranted, appropriate action will be taken.

III. Outside Employment

For Residents with performance and/or conduct problems, BHRS approval for outside employment will be re-evaluated and may be rescinded.

Approved: \_\_\_\_\_  
*Signature on File*  
Stephen Kaplan, LCSW  
Director, BHRS

\_\_\_\_\_ *Signature on File*  
Bob Cabaj, MD  
Medical Director, BHRS

\_\_\_\_\_ *Signature on File*  
Raziya S. Wang, MD,  
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Reviewed: \_\_\_\_\_  
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