

AGREEMENT OF APPOINTMENT
UNIVERSITY OF TENNESSEE COLLEGE OF MEDICINE
GRADUATE MEDICAL EDUCATION (GME) PROGRAM

Residency/fellowship programs at the University of Tennessee are under the oversight of the Department of Graduate Medical Education (GME), College of Medicine. Residents and fellows (residents) are trainee employees of the University of Tennessee, an entity of the State of Tennessee, and are not employees of any affiliated hospital, clinical site or private practice group. The residency and fellowship programs are mostly accredited/approved by any of the following: the Accreditation Council for Graduate Medical Education (ACGME), the specialty's American Board, or Non-Standard programs approved by the Graduate Medical Education Committee. The Program Director and Program Coordinator of the residency/fellowship training program have managerial and administrative oversight responsibility of all the activities of the resident physician in the program. Copies of the policies listed can be found at <https://uthsc.edu/graduate-medical-education/>.

Qualifications for Appointment:

- Be a graduate from an accredited Medical School in the United States, or graduate from a Tennessee Board of Medical Examiners approved international medical school, or be approved as an exceptionally qualified candidate by the GMEC,
- Meet the Technical Standards, GME Policy #411, continuously, with or without an accommodation, and so certify annually in the below signature
- Meet all institutional, hospital site, departmental, and specialty eligibility requirements for their respective training program
- Successfully pass USMLE Steps 1 and 2 or COMLEX-USA Level 1 and 2-CE and submit an official transcript of the results directly from the Federation State Board of Medical Examiners (FSBME) or the National Board of Osteopathic Medical Examiners (NBOME) to his/her Program Director and GME before beginning training (GME Policy #110)
- Successfully pass USMLE Step 3 or COMLEX-USA Level 3 examinations and submit an official transcript of the results directly from the FSBME or NBOME to his/her Program Director and GME before beginning training at the PGY 3 level or higher (GME Policy #110)
- Meet all federal regulations for work authorization including providing adequate documentation for completion of the I-9 and eVerify. Residents must have a valid social security number prior to beginning training. Residents on employment visas are responsible for meeting all guidelines for lawful entry and continued stay in the United States. Failure to maintain the legal right to work in the United States will result in immediate termination of employment.
- Meet all guidelines established by the Tennessee Board of Medical Examiners for obtaining authorization to participate in the training program (Competency Information Form)
- Not be on any HHS/Office of Inspector General's (OIG) list or Excluded Parties List System of individuals excluded from federal healthcare programs
- Pass a criminal background check (see GME Policy #130)
- Pass a pre-employment drug test (see GME Policy #660)
- Provide a final transcript (denoting award of the MD/DO degree conferred) sent directly from the trainee's medical school to the GME Office. A valid ECFMG certificate will be accepted for international medical school graduates.
- Provide documentation from a licensed physician in the United States, not related by blood or marriage, that the resident is physically and mentally able to begin a residency/fellowship and can

perform the essential job functions and Technical Standards (GME Policy #411) of the applicable residency program with or without an accommodation

- Provide documentation of all appropriate immunizations and completed respiratory fit test (see GME Policy #360, #361, and #362)
- Obtain a national provider number (NPI) and provide it to the GME Office
- Obtain Advanced Cardiac Life Support (ACLS) certification prior to or within 30 days of employment and provide copy to GME Office. Pediatric and pediatric subspecialty residents/fellows must obtain Pediatric Advanced Life Support (PALS) certification, and
- Register with PECOS, the Controlled Substance Monitoring Database (CSMD), and the various Medicaid programs which may include Arkansas, Mississippi and Tennessee

Resident/Fellow Responsibilities:

Throughout the residency/fellowship program, trainees must:

- Participate fully in the educational and scholarly activities of his or her program and all mandatory GME conferences
- Participate in in-house and home night-call in conformity with institutional guidelines
- Meet and attain GME curricular objectives and make satisfactory progress in meeting those objectives as established by the Program Director and/or as stated in the program handbook. These curricular objectives include the ACGME six core competencies: patient care, medical knowledge, practice-based learning and improvement, interpersonal and communications skills, professionalism, and systems-based practice.
- Assume responsibility for teaching, peer evaluating, and supervising other trainees and students, providing candid and constructive feedback on their performance to encourage quality improvement
 - This responsibility includes participation in a Residents as Educators program, either through a pre-established curriculum in your Program or through the College of Medicine Residents as Educators curriculum. Mandatory participation is required for residents in the seven core clerkships (Family Medicine, Internal Medicine, Neurology, OB/GYN, Pediatrics, Psychiatry and General Surgery).
 - This responsibility also includes annual acknowledgement of educational objectives and academic policies related to medical education through the Medical Education Resource Link (MERL)
- Participate in institutional programs and activities, work in interprofessional teams, and adhere to established practices, procedures and policies of the Graduate Medical Education Program, applicable program handbook, and of all affiliated hospitals and clinical training sites, including the timely completion of medical records
- Abide by the University of Tennessee policies, procedures, and work rules, including HR 0580 – *Code of Conduct, the Policy on Sexual Misconduct, Relationship Violence, and Stalking*, GME policies, the individual program handbook, information security, as well as the by-laws of affiliated hospitals and clinical training sites
- On-time attendance in person (no telework) for all assigned shifts and duties as this position is full-time (minimum of 40 hours/week – no part-time work), working exclusively for the University of Tennessee (except for Moonlighting only by permission under GME Policy #320), and can include up to 80-hour work weeks, as well as overnight and weekend shifts and call, as part of the fundamental academic program
- Assume responsibility for assuring their fitness for practice including management of their time before, during and after clinical assignments and recognition of impairment or being under the influence, including illness, fatigue, and substance use. Any presence of any detectable amount of any illegal

- drug, illegal controlled substances, or alcohol in an employee's body system, while performing university business or while in a university or clinical training facility, is prohibited. (see GME Policy #680)
- Participate in institutional and hospital committees and councils that relate to quality improvement and patient care review activities
 - Demonstrate the professional values of honesty, compassion, integrity, and dependability
 - Adhere to the highest standards of the medical profession and pledge to conduct him or herself accordingly in all interactions.
 - Secure direct assistance from faculty or appropriately experienced residents whenever the trainee is confronted with high-risk situations or with clinical decisions that exceed his/her confidence or skill to handle alone
 - Understand the need for appropriate faculty supervision in all interactions with patients
 - Participate in the evaluation of the quality of education provided by the program
 - Follow all University and Hospital infection control policies
 - Provide annual documentation of the results of a respiratory fit test
 - Consent to GME providing copies of your immunization, flu, COVID, TB, and fit testing documentation to the facilities you rotate through or the Shelby County Health Department upon request
 - Complete all University and GME compliance-training modules within 30 days of employment and complete all annual training module updates by given deadline
 - Maintain Advanced Cardiac Life Support (ACLS) certification throughout entirety of residency/fellowship and provide copy of recertification to GME Office. Pediatric and pediatric subspecialty residents/fellows may maintain Pediatric Advanced Life Support (PALS) certification in lieu of ACLS at the program's discretion.
 - Complete all required simulation training within 30 days of employment where applicable
 - Immediately report to the Associate Dean of GME, in writing, any changes in eligibility for the program including criminal background (any arrests, indictment, plea of no-contest, or convictions of any misdemeanor or felony crimes except for minor traffic violations), any action by a state healthcare professions licensing board (including the filing of a complaint, investigation, or license denial reprimand, suspension, restriction, revocation, surrender or other discipline, related to any healthcare license), or eligibility to participate in a medicine training program (Competency Information and guidelines established by the Tennessee Board of Medical Examiners), the Technical Standards, or any other requirement above
 - Attend the annual SVMIC conference and the GME Global Conference/Resident Forum meetings
 - Failure to comply with GME policies and procedures including but not limited to clinical experience and educational work hours, fitness for practice, ACLS, simulation training and immunizations may result in the resident/fellow being placed on leave without pay and removed from the training program until he/she has complied with the policy and/or procedure.
 - Complete the required exit clearance documents for the University and hospitals when leaving the training program. Failure to do so demonstrates a lack of professionalism and may be reflected on the Final or Summative Evaluation.

Duration of Appointment. The term of this appointment is made on a yearly basis with the expectation that continuation within the one year appointment and reappointment yearly throughout the duration of the residency/fellowship period will be based upon compliance with resident responsibilities, evidence of satisfactory progress in scholarship, professional growth, the availability of training positions in the University of Tennessee GME program, and GME policies including, Reappointment and Promotion and

Disciplinary and Adverse Actions (see GME Policy #520 and #620). This Appointment, as well as employment by the university, expires on the agreement period ending date, specified below, unless extended by mutual consent in writing. Residents may be dismissed prior to the end of the term for a variety of acts and does not have to be justified by reasons amounting to “cause” as stated in the Disciplinary and Adverse Academic Actions policy (see GME Policy #620) as residents are employed on an “at will” basis.

Financial Support. The annual compensation rates for the current academic year are available on the GME website (see GME Policy #210).

Conditions for Reappointment and Promotion. If the resident has fulfilled all of the educational requirements, attained the knowledge, skills, and behaviors necessary to progress to the next level of post-graduate training, and has satisfied the requirements of GME Policy #520 – Resident Reappointment and Promotion, the Program Director may promote the resident to the next level of post-graduate training, with a commensurate renewal of this Agreement, not to exceed one additional period of twelve (12) months. A written notice of intent should be given 60 days prior for non-renewal, non-promotion, or dismissal. If a resident is not reappointed or promoted, the academic appeal process and grievance procedures are available to ensure that residents/fellows have access to adjudicate complaints and grievances. Procedures are available on the GME website (see GME Policy #630).

USMLE Step 3 Requirement for Promotion. All residents entering programs at the PGY1 or PGY2 level are required to pass Step 3 (or equivalent examination) prior to their PGY3 advancement date. Failure to meet this requirement will result in non-renewal of the resident’s appointment (see GME Policy #111).

Grievance Procedures. Residents may raise and resolve issues without fear of intimidation or retaliation including complaints related to the work environment or issues related to the program or faculty (see GME Policy #350).

Academic Appeals Process. Residents will be evaluated periodically throughout the year, be given constructive feedback from faculty and all others who observe their performance and recognize that objective assessments are indispensable guides to improving skills as a physician. Rotation specific goals and objectives and teaching and evaluation methodologies ensure that residents completing programs will demonstrate the knowledge, skills, and behavior necessary to enter autonomous practice in their specialty. In the event of an adverse decision affecting the timely completion of training, the resident is granted the right to present his or her views and any extenuating circumstances in an academic appeals process (see GME Policy #630).

Professional Liability. Residents receive professional liability coverage through the Tennessee Claims Commission Act (Tenn. Code Ann 9-8-301 et seq.). The Claims Commission provides for defense and judgment payments for acts determined to be within the scope of a resident’s employment even if the case is filed after the resident has completed training (occurrence based). This coverage is not valid for

moonlighting or activities outside the State of Tennessee. More details are available on the University of Tennessee General Counsel website at <http://counsel.tennessee.edu>.

Health, Dental, Vision, Disability, and Life Insurance. Health, individual disability policies, and life insurance coverage is mandatory for residents. Health, vision, and dental insurance is provided for residents and eligible dependents and is effective on the resident's first recognized day of residency/fellowship employment (see GME Policy #230). For plan benefits and resident costs, visit the GME website. Disability and life insurance is provided for residents through the GME designated carrier as listed on the website and these GME policies may not be cancelled during residency/fellowship training. GME provides a stipend to offset the cost of the life and disability insurance. Per ACGME requirements, if the first day of health insurance eligibility is not the first day that residents are required to report, then the residents will be given advanced access to information regarding interim coverage so that they can purchase coverage if desired.

Leaves of Absence. The GME policies concerning vacation, sick, supplemental, and educational leaves are available on the website, but policies may vary slightly from program to program based upon individual specialty board requirements. Individual program policies are available in the program handbook. It is the responsibility of each Program Director to advise residents of the effect of any time away from training on program completion and board eligibility. Current requirements for eligibility for specialty board examinations can be found through a link on the GME website.

Clinical Experience and Educational Work Hours. Residents must abide by the UTHSC Graduate Medical Education policy on clinical and educational work hours and reporting procedures (New Innovations) – see GME Policy #310.

Additional Compensated Work

Residents/Fellows may have the opportunity to earn additional compensation for working outside of regular shifts or training. All such work is strictly regulated by the Moonlighting Policy, GME Policy #320 or the Voluntary Supplemental Clinical Activity Policy, GME Policy #321. In either case, any such work must be approved, in writing, by the Program Director. All such additional work must be logged as work hours and is subject to the maximum 80-hour work week rule. Failure to follow these policies may result in disciplinary action up to and including dismissal from the Program as well as individual liability.

Resident/Fellow Support Services. Resident support services including confidential counseling and medical, behavioral health, and psychological support services are available and include, but are not limited to, GME counselor, an exercise facility, evaluation and treatment of work-related illnesses and injuries, resources through the Tennessee Medical Foundation, resources through the Memphis Medical Society, and availability of immunizations and wellness programs. Additional support services information is available on the GME website.

Harassment. The resident acknowledges that the University does not tolerate sexual or other forms of discrimination by and/or directed at members of the academic or hospital community. All complaints should be filed with the Office of Compliance. The Policy on Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, and Stalking addressing Title IX, and other anti-harassment policies are available on the GME and the UTHSC Office of Compliance (<https://www.uthsc.edu/compliance/>) website.

Discrimination. The resident acknowledges that formal charges of discrimination based on race, sex, age, religion, national or ethnic origin, disability, marital status, sexual orientation, gender identity, veteran status, or other statutorily protected status, shall be filed (<https://www.uthsc.edu/compliance/file-complaint.php>) with the UTHSC Office of Compliance in accordance with the policies and procedures outlined on the GME website.

Program Reduction or Closure. In the event of a program closure or complement reduction, the University will provide reasonable assistance to residents/fellows in locating another ACGME program in which they can complete their training (see GME Policy #450).

Other Benefits/Services. On-call meal provisions vary within the various teaching hospitals. However, food options are available 24 hours per day while residents are on duty in all institutions. Call rooms are available in all hospitals for residents who take in-house call or may be too fatigued to safely return home. Lab coats are provided but no laundry services are provided. Parking is provided at no cost to residents. The University agrees to take reasonable precautions to ensure a healthy and safe working environment. The University will provide access to adequate communication resources and technological support.

Payroll Authorization. Resident agrees that at the time of their termination from the program the University will withhold a sum from their final paycheck equal to the following: all unpaid personal accounts and fines, unreturned University keys, unreturned UT ID, or unreturned equipment, computers, etc.

Non-competition. Residents will not be required to sign a non-competition guarantee or restrictive covenant.

Professionalism Policy. Resident agrees to adhere to the Professionalism Policy (see GME Policy #125).

Disaster Policy. The University has institutional plans that will allow for the continuation of training in the event of a disaster (see GME Policy #460).

Vendor/Industry Policy. The University has explicit guidelines outlining the appropriate relationship between GME (inclusive of all residency and fellowship programs) and health related vendor representatives/industry and promotional activities (see GME Policy #700).

Accommodation for Disabilities. As a public institution that receives federal funding, the University of Tennessee Health Science Center is required to comply with the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973. The University of Tennessee is committed to providing a campus and educational experience that is accessible to all. Both the ADA and Section 504 prohibit covered entities from discriminating against persons with disabilities in the provision of benefits or services or the conduct of programs or activities, on the basis of their disability. The University will make reasonable modifications in its policies, practices, and procedures to avoid discrimination on the basis of disability, unless the modification would result in a fundamental alteration of the program or activity or risk to patient safety (see GME Policy #340). Any resident seeking an accommodation should contact the Office of Compliance at <https://www.uthsc.edu/compliance/disabilities.php>.

Certifying Board Eligibility. A link to information regarding eligibility for certification by the relevant certifying board is available on the GME website.

University of Tennessee Equal Opportunity Statement

All qualified applicants will receive equal consideration for employment and admissions without regard to race, color, religion, sex, marital status, parental status, sexual orientation, gender identity, national origin, disability, age, genetic information, veteran status, or any other characteristic protected by federal or state law.

Eligibility and other terms and conditions of employment benefits at The University of Tennessee are governed by laws and regulations of the State of Tennessee, and this non-discrimination statement is intended to be consistent with those laws and regulations.

In accordance with the requirements of Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990, The University of Tennessee affirmatively states that it does not discriminate on the basis of race, sex, or disability in its education programs and activities, and this policy extends to employment by the University.

Inquiries and charges of violation of Title VI (race, color, national origin), Title IX (sex), Section 504 (disability), ADA (disability), Age Discrimination in Employment Act (age), sexual orientation, or veteran status should be directed to the Office of Compliance (OC), 920 Madison Avenue, Suite 825, Memphis, Tennessee 38163, telephone 901-448-2112/TTY901.448.7382. Requests for accommodation of a disability should be directed to the ADA Coordinator at the Office of Compliance.

RESIDENCY/FELLOWSHIP APPOINTMENT

I understand and agree to my responsibilities to the University of Tennessee Graduate Medical Education Program. I have received and reviewed the content of the above Agreement, including the Duration of Appointment clause, and have had access to all references and policies located on the GME and UTHSC websites. I acknowledge that additional policies governing my participation in the GME Program are included on the GME website. I further understand that this Agreement and the various policies on the GME and UTHSC websites are subject to change at the sole discretion of UTHSC.

CONSENT TO RELEASE OF TRAINING RECORDS

I understand, agree, and consent to the release of any and all records of my resident training work performance, as well as a comprehensive reference/evaluation by GME, in its sole discretion, to any accreditation, credentialing, Medical Staff appointment, transfer of residency, residency/fellowship, or quality committee or organization, institution of higher education, or healthcare regulatory boards, upon proper request as determined in the discretion of GME, or upon lawful order of a court or other authorized agency. This consent shall remain in effect and survive after the termination, lapse, or term of this Agreement.

ATTESTATION OF TECHNICAL STANDARDS

I affirmatively state that I meet the Technical Standards, GME Policy #411, and can perform the essential functions of: motor skills, sensory and observational skills, communication skills, conceptual, integrative, and quantitative skills, and behavioral and social skills and professionalism, with or without an accommodation. If I need an accommodation to meet the Technical Standards, I have sought and have been granted a reasonable accommodation by the UTHSC Office of Access and Compliance and have so notified my Program Director and the GME Office. If I no longer meet the Technical Standards, any accommodation has been withdrawn, or a current accommodation is no longer sufficient, I understand and agree that I am obligated to immediately notify my Program Director and the GME Office.