

## **Compliance and Due Process in Residency Specific Analysis of Cases at (Anonymized Institution)**

### **ACGME Common Program Requirements**

- V.A.2      Are the residents receiving formal evaluations during each rotation, preferably from multiple evaluators, which are accessible for their review?
- V.B.        Are the residents given opportunity to confidentially evaluate their faculty?
- VI.         Are there certain faculty that display dysfunctional behaviors that may violate the “excellence in professionalism” and “humanistic environment” required of the working/learning environment?
- VI.A.2     Do the faculty that evaluate the residents spend sufficient time with them in order to form an adequate assessment of their knowledge and skills?

### **ACGME CCC Guidebook**

- Pg 9        Have the CCC members received training in evaluation, data quality and interpretation, Milestones development, and their member roles which “... will typically include the need for substantial faculty development.”
- Pg 13      Does the selected Chair of the CCC “best solicit broad input... and ensure all voices are heard?” Does s/he encourage a “positive working environment and open communication from all members” or does s/he have tendencies to dominate with personal opinion, promote a particular rater bias, entrench groupthink, or even disallow dissenting opinion? Are other CCC members intimidated into agreement or silence, due to the Chair’s power positions or personality?
- Is the Chair “the Milestones expert”?
- Does the Chair “use best practices in effective group processes (per pg 21),...” e.g. using structured formats and seeking junior member inputs first?
- Is there a “plan for professional development of CCC members”?
- Pg 14      Is the role and power of the CCC appropriately balanced such that the program director has the final responsibility for determining and reporting resident Milestone levels? And are these communicated to the residents?
- Pg 15      Do the Milestones ranking of residents tend to be arbitrary, or scored with too little or a particularly over-weighted faculty input? “Faculty members should reach a common understanding on the meaning of the narratives of each milestone in the context of the specialty.”

- pg 27 Are the resident assessments produced by the CCC supported by written evaluations? If not, "... it should consider revising its assessment tools or processes and/or faculty development to solicit better written/recorded information." Are the findings transparent to the residents via timely and personal feedback?
- Pg 29 Has the CCC been annually re-evaluated on the basis of its purpose, model, procedures, and potential for groupthink or drift from its purpose?
- Pg 30 High quality feedback. Is the CCC feedback overly general, lacking specificity, to the point of adding little value in directing a resident's development? Is it balanced for construction, as well as correction? Are residents assisted to create and execute Individualized Learning Plans (ILPs), which are "critical to professional development"?
- Pg 35, 39 Are keys components of due process provided to residents, to include "a careful and deliberate decision-making process" while reviewing all available inputs, a specific list of any noted deficiencies, and the opportunity to improve/cure those deficiencies?

**(\*Anonymized\*) Institutional GME Policies and Procedures**

- Pg 57 Are residents provided written evaluations at the end of each rotation, as well as access to copies which they can review at any time?
- Pg 60 Are residents provided a detailed notice of deficiencies, and allowed an opportunity to cure those?
- Pg. 61 Are all "reportable actions" grievable, as they should be within 10 days of notification? Those actions include official probation, remediation, and termination, as well as a decision to deny credit for a single rotation. Has this opportunity to request a review been clearly described to them by faculty and the institution? If this is unclear to them, or is miscommunicated to them as an ungrievable finding, are they denied due process?