

PROCEDURE GME09

Subject:
ACCOMMODATION OF RESIDENTS
WITH DISABILITIES

Effective Date:
DECEMBER 2004

Applies to:
HOUSTON METHODIST HOSPITAL SYSTEM-
GME PROGRAMS

Date Revised:
AUGUST 2021

Originating Area:
GRADUATE MEDICAL EDUCATION COMMITTEE

Target Review Date:
AUGUST 2024

I. GENERAL STATEMENT

This procedure outlines the process by which an applicant or a Resident in a Program of Graduate Medical Education (GME) sponsored by Houston Methodist Hospital may request reasonable accommodation for disability. This policy supplements Houston Methodist HR36 Accommodations for Disabilities Policy and HR36, Accommodations for Disabilities- Request Procedure.

II. PROCEDURE

- A. Attestation of Essential Abilities. Per Procedure GME03 – *Resident Eligibility, Selection, and Appointment*, Residents may be required to sign a certificate stating that they possess the essential abilities required for training. Individual residency programs may require different specific abilities for training.
- B. Request for an Accommodation. It is recommended that Residents request accommodations as early in residency training as possible in order to maximize the benefit derived from their training. All accommodations requested by a Resident must be detailed and should be agreed to by the Resident before training begins. However, a Resident may request an accommodation at any time during residency training.
- C. Information Necessary for Request. Requests for accommodation must be made in writing. The Resident must submit Form HR36, *Request for Accommodation Under the Americans with Disabilities Act (ADA)*, to the GME Director. In addition to Form HR36, the following information must be completed and submitted with the request for accommodation.
 - a. The Resident's job description or rotational goals and objectives for the Residents current year of training, in order to evaluate the essential functions of the job for which the accommodation has been requested.
 - b. [Medical Information Release form](#)
 - c. [Physician's Report on Employee Medical Status](#)

All forms may be found in Policy Tech on the Houston Methodist Intranet.

- D. Review of Requests. The GME Director will forward all completed forms and documents to ADA Corporate and the HR Generalist. ADA Corporate will review the request and determine whether additional information is needed from the Resident, the Program Director or the Resident's health care provider.
- E. Determination of Reasonable Accommodation. ADA Corporate will evaluate the information received from and about the Resident to determine the Resident's eligibility for accommodation within the ADA guidelines. ADA Corporate will make a recommendation and will consult with the Program Director and the GME Director to determine whether the requested accommodation would be reasonable, effective, and enable the Resident to perform the essential functions of the position and achieve the essential educational goals and program objectives. The Resident will be informed in writing of the accommodation request decision.
- F. If a reasonable accommodation is granted, Houston Methodist reserves the right to revisit the accommodation to ensure it continues to remain reasonable and does not impose an undue hardship on the program or institution.
- G. If the requested accommodation is not granted and/or alternative proposed accommodations are not considered effective by the Resident, the Resident may submit a written appeal to the Houston Methodist ADA Compliance Committee based on either (1) new information or (2) a belief that the Business Unit HR Director/Manager misinterpreted information previously submitted. Appeals should be submitted in writing via email to ADAcorporate@houstonmethodist.org or mailed to HR Client Services 8100 Greenbriar, GB162, Houston, TX, 77054. All requests for appeals must be received within 14 days from the date of the written decision letter. The Director HR Client Services & Standards will assemble an Appeals Committee to review appeals and render a final decision
- H. Should the ADA Compliance Committee determine that a reasonable accommodation cannot be provided, the Resident will be notified in writing of the decision.
- I. Complaint of Discrimination: It is the responsibility of Human Resources to review and ensure follow-through on any formal complaint brought by a Resident regarding perceived discrimination in promotion or treatment due to disability. Any Resident with a disability who perceives that any sort of discrimination in promotion or treatment has occurred will cooperate with HR's investigation in accordance with Policy HR99 – Investigating Workplace Misconduct.
- J. Confidentiality of Records. All medical-related information will be kept confidential and maintained separately from the Resident's other records. However, supervising physicians may be advised of information needed to determine the accommodation that they are required to make for the Resident. First aid and safety personnel may be also informed, when appropriate, if the disability might require emergency treatment or if specific procedures are needed in the case of fire or other evacuations. Government officials investigating compliance with the ADA may also be provided relevant information as requested.

- K. Retention of Documentation. The completed Form HR36 and documentation submitted to the HR Director/Manager and/or ADA Compliance Committee will be maintained in a confidential manner in accordance with applicable federal mandated retention schedules.

IV. COMMITTEE REVIEWING/APPROVING PROCEDURE

Graduate Medical Education Committee [approved 9 December 2004] [8 January 2009]
[5 April 2018] [11 August 2024]

V. AUTHORITATIVE REFERENCES

ACGME Institutional Requirements July 2021; IV.I.4.
ACGME Common Program Requirements July 2021; I.D.2.e)
Americans with Disabilities Act of 1990 (ADA) <https://www.ada.gov/>
Health Care Workers and the ADA http://www.eeoc.gov/facts/health_care_work
Houston Methodist HR36 – Accommodations for Disabilities Policy
Houston Methodist HR36 – Accommodations for Disabilities - Request Procedure