Accommodations for Disability
IUSM-GME-PO-0001

Scope

This policy applies to all Gradual Medical Education (GME) residents in ACGME-accredited, Indiana University School of Medicine (IUSM)-sponsored training programs.

Reason for Policy

The purpose of this policy is to outline the process whereby a resident or fellow in a graduate medical education program sponsored by IUSM may request accommodation for disability.

Policy Statement

The Americans with Disabilities Act (ADA) of 1990 requires the IUSM to provide certain kinds of reasonable accommodation to qualified residents and fellows when necessary to provide an equal learning opportunity. Under the law, “reasonable” must be individually determined after an individual requests accommodation. The IUSM Office of GME policy on Non-Academic Criteria for House Staff (Reference 1) describes the technical standards that residents and fellows are expected to meet in order to train in an IUSM GME program. IUSM Guidelines for Evaluation of Students with Disabilities
(Reference 2) reviews standards for evaluation of a student requesting an accommodation for disability.

**Procedures**

A request for accommodation may be made at any time during residency training. In order for the resident to receive maximum benefit from his or her residency training time, a request for accommodation should be made prior to the start of training or as soon as possible after an event occurs that may affect a resident’s ability to meet the non-academic standards. Request for an accommodation should not be made after the fact or in reaction to a negative evaluation or action taken by the training program.

The program director, necessary institutional staff, and the associate dean for GME will coordinate with the resident to determine whether the requested accommodation would be effective, reasonable, and enable the resident to perform the essential functions of the position and achieve the essential educational goals and program objectives, or make a good faith effort to negotiate another accommodation.

**Qualifying**

To qualify for an accommodation, residents must identify themselves to their program director and to the associate dean for GME; declare the disability (or suspected disability) in writing; and request accommodation. It is also the resident’s responsibility to obtain a thorough written evaluation from an appropriate professional, documenting the presence, extent, and ramifications of the disability. In addition, the documentation should explain what specific types of accommodation the evaluator believes might be most helpful in offsetting the effects of the disability to an acceptable extent in a GME environment. The goal at IUSM is to provide equal opportunity without undermining the integrity of any training program.

The resident must obtain this evaluation at his or her own expense and arrange to have the evaluation form and all supporting documentation forwarded to his or her program director and to the associate dean for GME. An evaluation performed more than three years earlier may not be acceptable. There are instances for which an evaluation must have been completed within a few months or even weeks.

After receiving the acceptable documentation, the associate dean will refer to the IUSM Disabilities Accommodation Committee (DAC) to review the documentation and consider the resident’s request. If appropriate, they will approve a plan for accommodating the resident.

If the DAC determines that the documentation provided does not meet its established standards, additional information will be requested. If further evaluation is required, it remains the resident’s responsibility to arrange for that evaluation at his or her expense.

Once an individual has been approved for specific accommodations and has subsequently received those accommodations, that individual should be held to the same essential performance standards as all other residents. Focus should be on the resident’s
performance in all evaluations. Written evaluations should not mention disabilities or accommodations for disabilities in any way. IUSM does not notify potential residency or fellowship programs or other employers about an individual’s disabilities without specific permission from the resident.

Policy Implementation

When a disability has been acknowledged and a specific accommodation plan is approved by the DAC, the program director will meet with the resident to discuss implementation of the plan. At that time, the program director will give the resident a signed form outlining the approved accommodations. The resident may then share a copy of this form with faculty or with other staff who have relevant responsibilities. If a resident’s accommodation plan includes assistive devices or extensive supplemental aid, additional time may be required to make arrangements. The program director or designee will help to make those arrangements. The accommodation should be effective, reasonable, and should enable the resident to perform the essential functions of the position as well as achieve the essential educational goals and objectives of the program. If this is not possible with the recommended accommodation, a good faith effort to negotiate another accommodation should be initiated.

Appeals

Any resident wishing to appeal an accommodation decision made by the DAC should first appeal to the DAC itself through the associate dean for GME. The resident should explain in a letter why he or she believes the prior decision was unfair or unreasonable and should include any available corroboration information with the letter. The associate dean for GME will accept the letter and schedule a meeting of the DAC as soon as possible. It may be necessary for the resident to meet with the DAC to answer questions.

If a resident disagrees with the DAC’s decision after an appeal has been presented, the resident may make a final appeal to the dean of IUSM. Once again, the resident should submit a letter describing the situation and indicating why the DAC’s decision does not appear to be fair or reasonable. The dean will then consider the need and method for further review and study. The dean’s decision is final.

Confidentiality

Disability information is considered private. All medical-related information will be kept confidential and maintained separately from other resident records. Faculty members, with the exception of those on the DAC, do not have the right to access a resident’s diagnostic information. Ordinarily, faculty members and other relevant staff need to know only the accommodations that are necessary to provide an equal opportunity for residents.

There are times, however, when certain faculty members and/or administrators may have a legitimate educational need to know about a resident’s functional limitations. In such cases, the program director may speak directly with those individuals to ensure appropriate planning.
In addition, supervisors and managers may be advised of information necessary to make the determinations they are required to make in connection with a request for an accommodation. First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment or if any 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.

This kind of direct communication by the program director happens if the DAC has decided that members of the IUSM community have an educational need to know about a resident’s limitations, or if an issue arises that may involve the safety and wellbeing of patients, residents, or staff. Residents are also encouraged to speak with faculty as openly as possible to facilitate better understanding and support.

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**Definitions**

*ACGME* is the Accreditation Council for Graduate Medical Education.

A *resident* is an IUSM resident or fellow, or a non-IUSM resident or fellow electively rotating through IUSM who provides clinical care as part of a GME program.

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**Implementation**

The Designated Institutional Official (DIO) for GME is responsible for implementation of this policy.

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**Oversight**

Policy authority for this document resides with the GME committee. The DIO and the GME committee are responsible for oversight. This policy will be reviewed every three years or more often if deemed necessary.

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**Related Information**

The IUSM Policy on Non-Academic Criteria for House Staff can be found at: [http://medicine.iu.edu/residents/gme-house-staff-handbook/non-academic-criteria-for-house-staff/](http://medicine.iu.edu/residents/gme-house-staff-handbook/non-academic-criteria-for-house-staff/)


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**History**
2. Policy approved by GMEC on 10 February 2016.