

**022\_GMEC\_Accommodations for Residents with Disabilities**

Title:	<b>Accommodations for Residents with Disabilities</b>	Index Number:	<b>FM-GMEC-022</b>	
Scope of application:	<b>All Graduate Medical Education (GME) Programs</b>	Original Date:	Reviewed on:	Next Review Date:
		<b>20.02.2013</b>	<b>15.01.2024</b>	<b>15.01.2027</b>

## 1. Purpose

- 1.1. To establish an institutional policy accommodating resident physicians with disabilities as mandated by the Accreditation Council for Graduate Medical Education -International (ACGME-I) Institutional requirements.
- 1.2. To define the technical standards that applicants and residents, with or without reasonable accommodation, must meet in order to be fulfill the essential requirements of the training program
- 1.3. To outline the process by which a resident in a program of Graduate Medical Education (GME) at the American University of Beirut Faculty of Medicine and Medical Center (AUBMC) may request reasonable accommodation for disability.

## 2. Definitions

- 2.1. **"Disability"** - For the purpose of considering an accommodation, according to the Americans with Disabilities Act of 1990, the term "disability" means, with respect to an individual, a person with a physical or mental impairment that substantially limits one or more of the major life activities.
- 2.2. **"Major Life Activities"** - Functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, eating, sleeping, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, working, receiving education or vocational training, and the operation of major bodily functions, including, functions of the immune system, special sense organs and skin, normal cell growth, digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions.
- 2.3. **"Reasonable Accommodation"** - Modifications or adjustments to the work environment, or to the manner or circumstances under which the position held or desired is customarily performed, that enables qualified individuals with disabilities to perform the essential functions of that position. Accommodation options may include job restructuring; part-time or modified work schedules; making facilities readily accessible; modification of training materials or policies; elimination of non-essential job functions; reassignment to a vacant position; modification of current

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equipment; acquisition of adaptive software or assistive technology and equipment; talking calculators; and/or telephones compatible with hearing aids.

An accommodation is NOT considered reasonable if it imposes an undue hardship, alters the fundamental nature or requirements of the residency program, or poses a direct threat to the health or safety of others. Examples of proposed accommodations that may impose an undue burden include, but are not limited to: extensions of time to complete a residency training program that have an adverse effect on the accreditation of the residency program; or job restructuring that compromises duty hours for other residents or has a negative effect on the training of other residents in the program.

### 3. Policy

- 3.1. Residents who have a disability will not be excluded from participation in, denied the benefits of, or be subjected to discrimination in connection with the training programs or other services offered by The American University of Beirut Faculty of Medicine and Medical Center (AUBMC).
- 3.2. AUBMC is committed to the fair and equal employment of residents with disabilities where while many residents with disabilities can work without accommodation, other qualified applicants and residents face barriers to employment without the accommodation process.
- 3.3. AUBMC is committed to providing accessible facilities and fostering compliance with the Americans with Disabilities Act (ADA) of 1990 to provide certain kinds of reasonable accommodations for qualified residents with verified disabilities to participate in a training program, unless such accommodations would impose undue hardship on the institution, the residency program, or venues of training.
- 3.4. AUBMC is not required to provide an accommodation that compromises the essential requirements of the relevant training program, imposes an undue financial burden based on AUBMC's overall institutional budget, or poses a direct threat to the health or safety of the resident or others.
- 3.5. Applicants and residents with disabilities will be required to satisfactorily meet the Program's performance criteria, requirements, and expectations.
- 3.6. All applicants and residents, regardless of whether they have a disability or have received any reasonable accommodations, must be able to meet the following technical standards unless a particular program has determined that one or more of the following technical standards do not apply to a particular specialty. These standards are essential requirements of AUBMC training programs and are designed to qualify graduates for the competent and independent practice of their specialty.

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- 3.6.1. Observation:** Applicants and residents must be able to: (1) observe demonstrations and participate in clinical care; and (2) accurately observe patients.
- 3.6.2. Communication:** Applicants and residents must be able to: (1) speak intelligibly, hear adequately, observe patients to elicit and transmit information, describe changes in mood, activity, and posture, and perceive non-verbal communications; (2) communicate effectively and efficiently both orally and in writing with all members of the health care team; (3) possess reading skills at a level sufficient to accomplish curricular requirements and provide clinical care; and (4) complete appropriate medical records and other documents in an efficient and timely manner.
- 3.6.3. Sensory and Motor Skills:** Applicants and residents must: (1) possess sufficient sensory and motor function to elicit information using various diagnostic procedures; (2) be able to execute motor movements reasonably required to provide care and treatment to patients; and (3) be able to coordinate both gross and fine muscular movements and maintain equilibrium.
- 3.6.4. Intellectual, Conceptual, Integrative, and Quantitative Abilities:** Applicants and residents must: (1) be able to identify significant findings from, and make recommendations based upon, a patient's history, physical examination, and laboratory data in an efficient and timely manner; (2) possess the ability to incorporate new information from peers, supervisors, and medical literature in formulating diagnoses and plans; and (3) possess good judgment in patient assessment and in diagnostic and therapeutic planning.
- 3.6.5. Behavioral and Social Attributes.** Applicants and residents must: (1) possess the emotional health required for full use of their intellectual abilities, the exercise of good judgment, and the prompt completion of all responsibilities attendant to the diagnosis and care of patients; (2) exhibit the development of mature, sensitive, and effective relationships with patients, colleagues, clinical and administrative staff, and all others in the professional or academic setting; (3) be able to tolerate taxing workloads and function effectively under stressful conditions; (4) be able to adapt to changing environments, display flexibility, and learn to function in the face of uncertainties inherent in the care of many patients; and (5) be able to accept appropriate suggestions and criticism and, if necessary, respond by modification of behavior.
- 3.7. Applicants and residents who cannot meet the technical standards outlined above will not be able to fulfill the essential requirements of the training program and may be denied admission to or excluded from their program on that basis.

## 4. Procedure

- 4.1. Request for an Accommodation:

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Residents with disabilities are responsible for requesting for reasonable accommodation at any time during residency training but in order for the resident to receive maximum benefit from his/her residency training time, requests for accommodations should be made as early in the training program as possible.

### 4.2. Information Necessary for Request:

4.2.1. Residents who wish to seek reasonable accommodation must submit to the residency/fellowship Program Director and the Designated Institutional Official (DIO)/Assistant Dean for Graduate Medical Education current documentation from a qualified professional that

4.2.1.1. verifies the existence of a disability by articulating a diagnosis

4.2.1.2. describes the nature and severity of any functional limitations that result from the disability, including in particular how the disability affects the resident's ability to comply with the technical standards applicable to their program

4.2.1.3. describes the duration for which any such functional limitations are expected to continue

4.2.1.4. and suggests any possible reasonable accommodations that he or she may consider appropriate in light of the technical standards needed to competently and independently practice their specialty.

4.2.2. It is the resident's responsibility to arrange for the required documentation in a timely manner, and AUBMC is not required to pay for any required diagnosis or testing. The type, nature, and extent of documentation required may vary depending on the disability at issue.

4.2.3. Residents may have to update or augment documentation to ensure that AUBMC has all of the information necessary to evaluate a request for reasonable accommodation.

### 4.3. Determination of Reasonable Accommodation:

4.3.1. The Program Director and the Designated Institutional Official (DIO)/Assistant Dean for Graduate Medical Education will review the request and determine whether additional information is needed from the resident's health care provider. The Resident will be furnished any additional forms or questionnaires needed for his or her health care provider to complete.

4.3.2. The Program Director and the Designated Institutional Official (DIO)/Assistant Dean for Graduate Medical Education will evaluate the information received from and about the resident to determine the

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Resident's eligibility and 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.

- 4.3.3. The Program Director and the Designated Institutional Official (DIO)/ Assistant Dean for Graduate Medical Education may seek input on a confidential basis from other service providers to determine whether the required documentation is adequate or an accommodation is reasonable.
- 4.3.4. Requests for an accommodation that infringe on patient care, require unreasonable faculty support or resources, or infringe on the rights of other resident/fellow physicians to maintain a quality education environment, may not be granted.
- 4.3.5. Once an accommodation has been approved and the resident has subsequently received those accommodations, the resident will be held to the same essential performance standards as all other residents. Focus should be on the resident's performance in all evaluations and written evaluations should not mention disabilities or accommodations for disabilities in any way.
- 4.3.6. The Program Director and the Designated Institutional Official (DIO)/ Assistant Dean for Graduate Medical Education will follow up on the Resident's status/progress at least annually or more often if needed.

#### 4.4. Confidentiality of Records:



All medical-related information will be kept confidential and maintained separately from other resident records. However, supervising physicians may be advised of information necessary to make the determinations they are required to make in connection with the request for an accommodation. AUBMC will not notify potential residency or fellowship programs or other employees about the resident's disabilities without specific permission from the resident.

#### 4.5. Investigation of Complaints:

Residents who believe that they have been discriminated against because of their disability may pursue a complaint as provided under GMEC's Policy Against Discrimination and Harassment.

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5. Signatures

Reviewed and Approved by	Name	Signature	Date
Assistant Dean for Graduate Medical Education (GME) & Chair of Graduate Medical Education Committee (GMEC)	Salah Zeineldine, MD		05.02.2024
Executive Associate Dean for Medical Education	Kamal Badr, MD		05.02.2024