



FRANCISCAN MISSIONARIES OF OUR LADY  
HEALTH SYSTEM

<b>RESPONSIBLE DEPARTMENT:</b> SFMC GME		<b>SUBJECT:</b> Grievance Procedure
<b>PAGES:</b> 4		<b>REPLACES POLICY DATED:</b> N/A
<b>ORIGINAL EFFECTIVE DATE:</b> 10/13/20	<b>REVISION EFFECTIVE DATE:</b> N/A	<b>POLICY NUMBER:</b> GME-ADM-06

**PURPOSE:**

The purpose of this policy is to establish a mechanism for resolving house staff (resident/fellow) complaints and grievances for all SFMC sponsored graduate medical education programs.

**DEFINITIONS:**

Grievance: An expression of dissatisfaction regarding the policies and procedures of the residency training program, the resident or fellow's working environment, academic concerns, or any unresolved dispute or complaint with his or her Program Director, faculty member, or house staff colleague.

Time Limit: All time limits specified herein are calendar days. In the interest of prompt resolution, all grievances should be processed whenever possible within the prescribed time limits. In the event of extenuating circumstances, a time limit may be extended by mutual agreement of both parties at each step within the process.

**POLICY:**

**A. Informal Resolution – Program Level:**

1. The aggrieved resident/fellow must submit a written statement of grievance to the Program Director. This notification must occur within fourteen (14) calendar days of the event precipitating the grievance and should include the following information: (1) factual description of the grievance; (2) the hospital and/or program policy that may have been violated; (3) the date on which the grievance occurred, and (4) the remedy sought. The letter should include as attachments any documentation relevant to the grievance.
2. Within seven (7) calendar days after notice of the grievance is given to the Program Director, the resident/fellow and the Program Director will set a mutually convenient time to discuss the complaint and attempt to reach a solution.
3. Step I of the informal process of the grievance procedure will be deemed complete when the Program Director informs the aggrieved resident/fellow in writing of the final decision.
4. A copy of the Program Director's final decision will be sent to the Designated Institutional Officer (DIO).

**B. Formal Resolution – Administrative Level and Hearing**

1. If the resident/fellow is not satisfied with the resolution of the grievance reached at the program level, the resident/fellow may appeal the Program Director's decision and pursue formal resolution of the grievance at the administrative level.
  - a. The appeal of the grievance must be in writing and include copies of the final written decision from the Program Director. The appeal of grievance must be presented to the DIO (or his/her designee) for their administrative review within ten (10) calendar days after receiving the program level decision. The grievance will be considered final on the basis of the program level decision if such a request is not presented within the ten (10) day period.
  - b. Upon receiving the grievance appeal, the DIO (or his/her designee) will conduct a preliminary investigation as a background for analysis and discussion and meet with the resident/fellow within ten (10) days after receiving the grievance appeal to hear his/her viewpoint.
  - c. Upon timely receipt of the written grievance, the DIO will refer the grievance appeal to the Grievance Committee. The Grievance Committee will meet with the resident/fellow within fourteen (14) calendar days after receiving the grievance appeal.

- i. **Composition:** The Grievance Committee will be comprised of a subcommittee of the GMEC that includes a Chair, two (2) voting faculty members, and an additional voting member from another program not involved in the grievance. Members will be appointed by the DIO. The Medical Director of GME will Chair the Committee. In the event of a conflict of interest between a member of the Grievance Committee and the resident/fellow filing the grievance, the committee member will be substituted with another member of the GMEC for the particular grievance.
- ii. **Attendance:** All committee members should be present throughout the hearing. The resident/fellow must personally appear at the Grievance Committee meeting and is permitted to designate a faculty member as his/her advocate at the Grievance Committee hearing.
- iii. **Conduct of Hearing:** The Grievance Committee will determine procedure, assure there is a reasonable opportunity to present relevant oral or written information, and maintain decorum.
- iv. **Decision Making:** At the conclusion of the Grievance Committee's review of the grievance, the Committee will issue a written statement of its findings. Decisions are determined by a majority of members of the committee and are final. The Grievance Committee will communicate its decision, in writing, to all parties directly involved with the grievance, within seven (7) calendar days of its final meeting. A copy will also be sent to the DIO.
- v. All decisions of the Grievance Committee are final, unless the resident appeals the decision in writing to the Chief Medical Officer (CMO) within seven (7) calendar days of the date of the decision.

#### C. Formal Resolution – Chief Medical Officer (CMO) Level

1. A final appeal may be filed by either party to the grievance as noted above. This appeal must be in writing and include all letters, documentation, and written responses from each level. The CMO or his/her designee will issue his/her final decision within fourteen (14) calendar days of the receipt of the grievance committee appeal. The decision of the CMO is a final and binding decision. Upon conclusion of the review, a report of the final review will be provided to both the resident/fellow and the DIO.
2. The decision of the Grievance Committee will be deemed to be affirmed if the CMO does not act on the appeal with fourteen (14) calendar days of the receipt of the appeal.

D. A resident/fellow who believes he/she has been harassed or discriminated against on the basis of his/her race, color, creed, religion, sex, national origin, disability, pregnancy, age, handicap, veteran status, or any other legally protected classification, shall follow those procedures stipulated in the SFMC Workplace Harassment and Fraternization policy.

E. This policy is not intended to, and should not be interpreted to, establish any rights beyond those which arise out of the Resident Agreement of Appointment. The Program reserves the right to deviate from this policy when circumstances so warrant, as determined within the sole discretion of the Program.

**ACGME STANDARD: IV.D.**

**STATUTORY/REGULATORY AUTHORITY: GMEC**