

RESIDENT HANDBOOK

SECTION VI: ACADEMIC ACTIONS

EMERGENCY SUSPENSION

INTRODUCTION

- I. An emergency suspension will be imposed when the dean believes that the resident's continued presence on the campus constitutes a substantial interference with the orderly functioning of the Kirk Kerkorian School of Medicine at UNLV or of a substantial area, unit, hospital, or department of the school pending a decision whether to permanently dismiss the resident.
- II. The suspension will be effective immediately but shall last no longer than 30 days unless disciplinary action is initiated.
- III. Grounds for imposition of emergency suspension, restriction, or conditions shall include, but are not be limited to, the following:
 - a. The conduct of a resident creates a reasonable possibility of injury or damage to any patient, employee, or person
 - b. A resident is charged with the commission of a felony
 - c. A resident is charged with the commission of a misdemeanor which may relate to the resident's suitability for medical staff membership
 - d. A resident engages in or is charged with unlawful or unethical activity related to the practice of medicine
 - e. A resident engages in any dishonest, unprofessional, abusive, or inappropriate conduct which is or may be disruptive of Kirk Kerkorian School of Medicine at UNLV operations and procedures
 - f. The resident has had any medical staff membership, clinical privileges, certification, licensure, or registration terminated, suspended, restricted, limited, reduced, or modified in any way; has resigned from any other residency program in order to avoid an investigation or proposed action concerning that program; or has voluntarily surrendered or agreed not to exercise any clinical privileges while under investigation or to avoid an investigation
 - g. It is determined that the resident made a material misstatement or omission on any pre-application or application for appointment or reappointment, or at any time provided incorrect information or otherwise deceived or attempted to deceive or mislead the Kirk Kerkorian School of Medicine at UNLV
 - h. A resident has falsified or inappropriately destroyed or altered any medical record
 - i. A resident refuses to submit to evaluation or testing relating to the practitioner's mental or physical status when there is a reason to conclude that the individual is impaired or is exhibiting a behavior pattern suggestive of impairment that would affect the ability to practice medicine with reasonable skill and safety. The direct observation of chemical substance abuse or observations of aberrations in performance and/or behavior may be cause for this conclusion. A refusal to submit to any testing related to drug or alcohol use is included in this category

- j. A resident abandons a patient or wrongfully fails or refuses to provide care to a patient
 - k. A resident fails to maintain a current, restricted state license to practice medicine
 - l. A resident engages in clinical activities outside the scope of the resident's approved clinical privileges
- IV. The conduct set forth in Chapter 6 of the Nevada System of Higher Education (NSHE) Code specifies other types of conduct that could result in emergency suspension. This information may be found in Appendix II.

PROCEDURES

- I. After the dean determines that just cause exists to place a resident on an emergency suspension, the program director and/or department chair will inform the resident in a private meeting that he/she will be suspended with pay pending an investigation to determine whether the resident should be dismissed. The program director or department chair will either hand-deliver or mail a written Notice of Action to the resident stating that the resident has been placed on emergency suspension pending investigation and will provide the resident a copy of the Due Process Guidelines.
- II. The resident may be directed not to appear at a particular work site or to appear at a different work site, including the resident's place of residence, pending conclusion of the investigation. The resident may be required to cease providing clinical care to patients and may be reassigned to other duties during the period of the suspension.
- III. Emergency suspension may be imposed independently of or in addition to any disciplinary action as provided in the due process policy.
- IV. If disciplinary action is warranted, the department chair will proceed with such action in accordance with the due process policy. A decision to impose an emergency suspension is subject to review by the Resident Performance Review Committee if the resident requests a meeting in writing within five days of the notice of the emergency suspension. Thereafter, a meeting shall be scheduled within 10 days of the receipt of the request. The meeting shall only consider whether the suspension shall remain in effect.
- V. In the event the Kirk Kerkorian School of Medicine at UNLV does not pursue disciplinary procedures following its investigation, the resident may continue in his/her program after the conclusion of the investigation without prejudice. Such suspension will not be recorded in the resident's personnel file as a disciplinary action.