



# TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER™

School of Medicine

## *Operating Policy and Procedure*

**SOM OP:** 50.22, **GME Resident and Fellow Files Policy**

**PURPOSE:** The purpose of this School of Medicine (SOM) policy and procedure is to establish a policy regarding the content, access, retention, and right to disclose of GME program resident and fellow files.

**REVIEW:** This SOM Policy and Procedure shall be reviewed within each year by the TTUHSC Graduate Medical Education Coordinating Council. Revisions will be forwarded to each campus GMEC for comment and the Office of the Dean for approval and publication.

### **POLICY/PROCEDURE:**

1. GME Resident and Fellow File Content:

The resident/fellow file will contain a record of the trainee's application and appointment information, curricular activities, certifications, awards, and all written evaluative information concerning the resident/ fellow, including: required periodic evaluations of the resident's/fellow's performance in all required and elective rotations/training experiences/procedures; interim written evaluations of any kind, including summaries of meetings with or regarding the resident/fellow; official action taken to address academic or training deficiencies or difficulties, including remedial recommendations or academic probation; disciplinary action; leaves of absence; and any other information concerning the performance and/or conduct of the resident/fellow that the Program Director judges appropriate to maintain in the file, including records required to be maintained by applicable institutional and program requirements of the Accreditation Council for Graduate Medical Education (ACGME).

2. GME Resident and Fellow Files Access:

The GME resident/fellow file will be available only to the Program Director, Department Chair or designee, the program's Clinical Competency Committee, designated program administrative staff, Dean of SOM, Executive Associate Dean for GME & Resident Affairs, DIO and the Office of Graduate Medical Education. Upon written request, active resident/fellow, or graduates, shall have timely access to review his or her file under direct supervision of the Program Director, DIO, or designated administrative staff, subject to redactions as recommended by General Counsel or required by applicable confidentiality, privacy and privilege protections under the law. Commonly redacted documents would include: clinical competency committee/faculty meeting minutes; faculty, peer, staff, or patient concerns or complaints; summaries of meetings regarding resident/fellow performance or conduct where resident/fellow was not present. The resident/fellow may then submit a written response based on their review of the file content that will be included in the permanent file.

3. GME Resident and Fellow Files Retention:

The GME resident/fellow file will be retained in accordance with the TTUHSC Records Retention Schedule (HSC OP 10.09) and applicable institutional and program requirements of the Accreditation Council for Graduate Medical Education (ACGME).

Upon successful completion of or withdrawal from a GME training program, the entire file must be retained for a period of at least seven (7) years, unless the program has been directed otherwise by the Office of General Counsel to retain the file for a longer period of time. Thereafter, minimum records must be kept permanently to document/verify the resident/fellow training, including: contracts, records of rotations, training experiences and procedures, records of disciplinary actions, final summative evaluation, documents reflecting satisfactory completion of program or non-completion of the program, periods of leave, and other records required by applicable program requirements of the

Accreditation Council for Graduate Medical Education (ACGME). "Permanently" is defined as 75 years by the TTUHSC Records Retention Schedule.

4. GME Resident and Fellow Files Right to Disclose:

The Program Director and/or the DIO, or designated administrative staff, may disclose the GME resident/fellow file, or portions thereof, to others as authorized in writing by the resident/fellow, as required under the law, or as required by applicable institutional and program requirements of the Accreditation Council for Graduate Medical Education (ACGME).

The Program Director and/or the DIO, or designated administrative staff, may disclose the GME resident/fellow file, or portions thereof, without prior consent to TTUHSC officials who have been determined to have legitimate educational interests, such as for use in program or curricular improvement; to accrediting organizations for purposes necessary to carry out their function; and to internal or external researchers conducting educational studies. Records released for the purpose of educational research will not include personal identification of residents/fellows.

TTUHSC is also a state agency and therefore resident/fellow files are subject to disclosure under Texas Public Information Act. Upon receipt of a written public records request, the Office of GME will work with General Counsel to review the resident/fellow file to determine which records are appropriate to disclose or withhold under applicable law.