



Misconduct Investigation Policy

GMEC approved October 19, 2023

PURPOSE: To establish a process to address academic performance by a **Resident** who fails to meet expected standards of conduct.

SCOPE: This Policy applies to all **Residents** in **Programs** sponsored by the University of Missouri-Kansas City (UMKC) School of Medicine (SOM) and employed by UMKC. **Residents** who are employed by affiliated sites may also be subject to that site's Policies and Procedures.

DEFINITION: **Resident** indicates a trainee either as a Resident or a Fellow in a **Program**.

POLICY ACKNOWLEDGEMENT: **Program Directors (PD)** are responsible for compliance with this Policy. For ACGME accredited Programs, the **PD** is responsible for monitoring that the **Program's Clinical Competency Committee (CCC)** complies with this Policy.

- 1) **Misconduct** may be identified through the **Program** evaluation system but also by informal or incident reports to the **Program's** administration.
- 2) Upon receipt of a complaint of **Misconduct** by a **Resident**, an investigation of the complaint shall ensue. Initial investigation may be directed by the **PD** or a **CCC** member. This must include a review of the complaint and a discussion with the **Resident**. If there is not sufficient information to conclude that **Misconduct** may have occurred, no further action will be taken. If further investigation is required, the matter will be referred to the **CCC**.
- 3) If the matter involves allegations of sexual harassment and/or any Title IX or equity concern (i.e., discrimination), the **PD** must file a report in the mistreatment portal on the UMKC SOM website. Title IX concerns must be reported to Title IX Coordinator at the University of Missouri-Kansas City for investigation. The Title IX Coordinator, depending on the circumstance, may need to collaborate with other employers and organizations during the investigation process.
- 4) If the matter involves medication diversion or theft, the **PD** must immediately notify the Associate Dean for GME and the Associate Dean(s) for the clinical affiliate(s) where the incident may have occurred. The clinical affiliate pharmacy supervisor will be notified of the incident by the Associate Dean of the clinical affiliate for investigation. The Dean of the SOM may be notified.
- 5) If the alleged **Misconduct** occurred at a clinical affiliate, other investigations may be required by that site or other entities. Per agreements with the SOM, clinical affiliates have the right to determine whether a **Resident** may work at their site during the investigation, or the **PD** may also remove the **Resident** from that clinical affiliate site during the investigation.



- 6) The **Resident** is expected to cooperate with all investigations of alleged **Misconduct**.
- 7) If there is alleged **Misconduct**, the **PD will notify the Resident's employer**.
- 8) If further investigation is required, the **CCC** will review the complaint of **Misconduct**, the evidence gathered by the investigation, and will meet with the **Resident** regarding the complaint. The **CCC** may also collect additional information, independent of the initial investigation. This investigation can be independent and/or based on other entities' investigation findings.
- 9) If a **Reportable Action** is being considered by the **CCC**, a **Notice of Reportable Action** will be sent to the **Resident**. The **Resident** is entitled to the procedures set forth in the GME Due Process Policy.
- 10) If the **CCC** determines that **Misconduct** has occurred, but such **Misconduct** does not constitute grounds for a **Notice of Reportable Action**, the **CCC** can issue a **Written Warning** to the **Resident**.
- 11) At any time, if added information pertaining to the alleged **Misconduct** is brought to the attention of the **CCC**, the **CCC** has the right to reopen the investigation.

Administered By:

A handwritten signature in black ink that reads "Phil Byrne". The signature is written in a cursive, flowing style.

Phillip D. Byrne, EdD
Associate Dean of Graduate Medical Education