

## Postgraduate Medical Education (PGME)

Title:	<b>Accommodation for Residents with Disabilities</b>	Number:	<b>012a</b>
Approved By:	PGME Committee		
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### Preamble

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The purpose of this policy is to outline the principles, responsibilities and processes for the provision of accommodations for Residents with disabilities in their residency training. The purpose of accommodation is to create an accessible learning environment that supports Residents with disabilities to meet the essential requirements of College of Family Practice of Canada (“CFPC”) and Royal College of Physicians and Surgeons Canada (“RCPSC”) training programs. The Postgraduate Medical Education Office (“PGME”) is committed to providing accommodations to promote human rights, equity and diversity, and to comply with its duty under the British Columbia *Human Rights Code* to make its services and facilities available in a manner that does not discriminate. Accommodations will be provided in a way that respects the dignity, privacy and autonomy of the Resident. Residents are responsible for identifying a need for accommodation and for complying with the following accommodation procedures.

The UBC Centre for Accessibility (“CA”) is available as a resource to PGME to assist Residents with disabilities in integrating into their postgraduate training program (“Program”). When a Resident is referred to the CA by PGME, a disability advisor will work with the Program Director, the Resident, and the Resident’s caregivers to provide recommendations for accommodation(s) that will support the Resident in meeting the academic and technical standards of the Program.

Residents are both learners in postgraduate training programs and employees of one of the UBC affiliated Health Authorities (“Employer”). The terms and conditions of employment are governed by a collective agreement between the Employer and Resident Doctors of British Columbia (“Collective Agreement”).

The Employer is responsible for providing work-related accommodations that are not otherwise dealt with as training accommodations. There are areas of overlap between training and employment related accommodations that require the cooperation of PGME and the Employer. PGME will work with the Resident and the Employer, or its representative, to identify and provide work-related accommodations in the clinical setting.

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### Definitions

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**Accommodation** - refers to any modification that reduces or eliminates barriers to participation arising when Residents with disabilities are in the clinical or academic realm of PGME training. Residents with Documented Disabilities are entitled to accommodation to the point of undue hardship.

**CA** – UBC Centre for Accessibility

**CaRMS** - Canadian Resident Matching Service

**CFPC** - College of Family Physicians of Canada

**College** – College of Physicians and Surgeons of British Columbia

Persons with a **disability or disabilities** means individuals who as a result of a medical condition or conditions:

- Have significant and persistent mobility, sensory, learning or other physical or mental impairments
- Experience functional restrictions or limitations of their ability to perform the range of life's activities
- May experience attitudinal and/or environmental barriers that hamper their full and self-directed participation in PGME activities.

**Documented Disability** - is any disability that is supported by medical documentation identifying functional impairments that require accommodation.

**Essential Skills and Abilities Document (Technical Standards)** – is a reference document which outlines the required skills and abilities (technical standards) that all candidates for admission, promotion or graduation in the PGME Program must meet to successfully demonstrate the required competencies necessary to practice medicine in Canada.

**HEABC**– Health Employers Association of British Columbia, the representative of the various Health Authorities employing Residents

**Program** – the Residency Program in which the Resident is based.

**PGME** – Postgraduate Medical Education

**PGME Dean** – Associate or Assistant Dean, Postgraduate Medical Education

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**RCPSC** - Royal College of Physicians and Surgeons of Canada

**Resident** - refers to a Postgraduate medical trainee enrolled in a Residency Program

**Temporary Health Issue** – temporary medical impairments or injuries that are unrelated to a disability and are likely to be substantially resolved in less than 4 weeks.

#### **POLICY**

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##### **1. SCOPE**

- 1.1 This policy applies to Residents with Documented Disabilities who require Accommodation to undertake training in a Program.
- 1.2 This policy does not apply to Residents who experience Temporary Health Issues.
- 1.3 This policy applies to UBC staff and faculty with respect to their shared responsibility to accommodate Residents in their residency training with a Documented Disability.
- 1.4 This policy does not apply to accommodations that pertain strictly to the workplace or to employment matters; the applicable Health Authority policy will apply in these circumstances.

##### **2. STATEMENT OF POLICY**

- 2.1 The Programs and PGME Office are committed to ensuring that Residents with Documented Disabilities are considered for selection to Residency Programs for which they are academically qualified, and to facilitating safe access to the PGME educational and learning environment, and to the University facilities and services.
- 2.2 Residents, or applicants for residency training, who have a Documented Disability, are entitled to be provided with Accommodation(s) that will assist them to achieve the essential skills and abilities associated with the Residency Program into which they have been accepted.
- 2.3 The provision of an Accommodation is determined on a case-by-case basis, taking into account all relevant factors.
- 2.4 Accommodations must not compromise the integrity of the training or lower the educational standards required of the Resident. An Accommodation cannot interfere with, or compromise, a Program's ability to assess a Resident's ability to meet the educational standards or essential skills of the training.



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- 2.5 It is the Resident's responsibility to identify Accommodation needs in a timely and proactive fashion to enable the Program to respond appropriately and to minimize disruption to the training.
- 2.6 The duty to accommodate Residents with Documented Disabilities is limited to providing reasonable accommodation without incurring undue hardship. What constitutes undue hardship varies based on, and must be considered in the context of, the circumstances of each individual case. However, undue hardship is likely to exist when an Accommodation:
  - 2.6.1. would likely result in a substantial risk to health or safety to a patient, the Resident or others;
  - 2.6.2. prevents assessment of the Resident's ability to meet the standards of the Program, or, an essential requirement of the CFPC or RCPSC;
  - 2.6.3. despite appropriate accommodation the Resident is unable to meet the standards of the Program or an essential requirement of the CFPC or RCPSC;
  - 2.6.4. would seriously compromise, or undermine, the integrity of the Program or would cause significant financial hardship to UBC.
- 2.7 Determination of whether an Accommodation constitutes an undue hardship is made by the PGME Dean based on information provided by the Resident, the CA, and the Program.

### 3. PROCEDURES

#### Referrals

- 3.1 Residents who require Accommodation must meet with their Program Director at the earliest opportunity to advise of the need for Accommodation. The Program Director will advise the PGME Deans. The PGME Office will notify the Employer if a workplace accommodation is required.
- 3.2 The Program Director will refer the Resident to the CA. The Resident is responsible for contacting a CA disability advisor in a timely manner and for providing any medical documentation in support of the requested Accommodations required by the CA for the purpose of assessing the request.

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### Documentation

- 3.3 Residents must ensure that documentation acceptable to the CA is obtained from medical doctors, registered psychologists or other health professionals who are appropriately certified and/or licensed to practice their professions and have specific training, expertise, and experience in the diagnosis of the particular disability for which accommodation is being requested. UBC is not required to provide, or assume the costs of, diagnostic services.
- 3.4 Residents are required to submit documentation outlining the nature of the disability, along with a detailed explanation of the functional impact of the disability. A diagnosis alone is not sufficient to support a request for an Accommodation.
- 3.5 Documentation must be current. For Residents who have a stable condition, usually no more than 3 years must have elapsed between the time of the assessment and the date of the initial request for Accommodation.
- 3.6 Once the CA has reviewed the medical documentation and determined there is a Documented Disability, the CA will discuss the recommended and requested Accommodations with the Resident. The CA may require additional documentation from the Resident in order to assess the requested Accommodations and to make recommendations to PGME and the Program with respect to recommended academic adjustments, auxiliary aids and/or services and reasonable and appropriate accommodations.
- 3.7 The CA will describe the functional impact of the Documented Disability and provide recommendations for Accommodations to the Program and PGME in writing. Medical documentation provided by the Resident to the CA will not be provided to the Program or PGME. All medical information obtained by the CA will be treated as confidential except to the extent the information relates to the functional impairments, required for assessment of the requested Accommodation, implementation of the Accommodation, and the potential impact of the Accommodation on academic and clinical assessment, will be discussed with PGME and the Program in order to identify appropriate Accommodations and fulfill their obligations under this policy. Information related to functional impairments that require Accommodation in the workplace will be shared with the Employer, or representatives, as necessary in order for the Employer to fulfill its duty to provide accommodations in the workplace.

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### Determining Appropriate Accommodation

- 3.8 The PGME Deans and the Program Director will discuss the recommended Accommodations with the CA and may ask the CA to obtain additional medical information from the Resident related to the Accommodations. The PGME Deans in consultation with the Program Director will determine whether a recommended Accommodation in residency training can be provided.
- 3.9 The Program Director will provide a letter to the Resident detailing the Accommodation(s) (“Accommodation Letter”) that will be provided and will discuss implementation of the Accommodation(s) with the Resident. If the Accommodation(s) intersects or interrelates to workplace accommodation(s), it will be shared with the Employer, or its delegate.
- 3.10 Residents are encouraged to discuss their Accommodation(s) with their Site Directors or preceptors as appropriate. At the Program Director’s discretion, the Accommodation Letter will be shared, in whole or in part, with appropriate supervisory faculty.
- 3.11 Accommodations requiring modification to the workplace will be referred to the Employer (in most cases, the Health Authority where the Resident has been assigned to work). The PGME Site Coordinator will participate in discussions related to the provision of Accommodations with the Employer or its delegate. Workplace Accommodations will be determined and implemented by the Employer.

### Notification to the Royal College

- 3.12 The Royal College Credentials Committee must be notified **in advance** of any modified residency training.
- 3.13 Where applicable, the Royal College may require a written verification by the Resident’s treating physician, describing the special need, condition or disability, and its potential impact on residency training and evaluation.
- 3.14 The special need, condition or disability must be verified, documented and considered valid by the Program Director, the Postgraduate Dean, the appropriate Specialty Committee(s) and the Royal College Credentials Committee.
- 3.15 The modified residency program must be approved by the Program Director, the appropriate Specialty Committee(s) and the Royal College Credentials Committee.

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### Accommodation Review

- 3.16 Accommodation is an ongoing process and Accommodations must be reviewed regularly by the CA to ensure that the Accommodations are still required and to assess whether the Accommodation(s) continue to meet the needs of the Resident and the requirements of the Program.
- 3.17 An accommodation review can be requested by the Resident or the Program Director. When a Resident's functional abilities have shown significant change since the original medical documentation was submitted (i.e. either an improvement or deterioration of status has taken place or is expected to take place) or, when the Resident's accommodation requests have changed significantly over the course of the training, new or updated information may be requested by the CA. UBC is not required to provide or assume the cost of diagnostic services or costs associated with obtaining updated information.
- 3.18 The Resident is required to obtain any reasonable requests for updates from CA. If updated information is not provided the matter will be referred to the PGME Deans. This may result in an interruption of the Resident's training.
- 3.19 Failure to comply with the above processes and responsibilities may result in delays in providing the Accommodation or in the appropriate Accommodation not being provided.
- 3.20 Where a Resident disagrees with a Program or PGME decision with respect to the provision of an Accommodation, and is unable to resolve the issue with the Program, the Resident may initiate a complaint of discrimination and follow the processes under UBC Policy #3 (*Discrimination*).
- 3.21 A Resident may also have recourse to processes outside of UBC, such as filing a complaint with the BC Human Rights Tribunal.

### 4. DISMISSAL FROM PROGRAM

- 4.1 While providing Accommodation enables Residents with disabilities to have an alternative means of meeting essential requirements of the course, program or activity, fulfilling essential requirements of the training remain the Residents' responsibility. Accommodation(s) shall not lower the academic standards of UBC, and shall not remove

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the need for evaluation or assessment or the need to meet essential requirements of the Program.

- 4.2 A Resident who is receiving appropriate Accommodation(s) yet cannot meet the educational standards or essential skills of the Program, may be dismissed from the Program pursuant to the procedures set out in the PGME Resident Evaluation Policy.
- 4.3 A Resident who is dismissed from the Program can appeal the dismissal decision pursuant to the procedures set out in the Resident Appeals Policy.
- 4.4 The Collective Agreement between the Employer and the Resident Doctors of BC governs the employment implications of dismissals from the Residency Program.

### Resources and Related Policies

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1. UBC PGME Leave of Absence Policy, April 2019  
<https://med-fom-pgme.sites.olt.ubc.ca/files/2019/04/011-Leave-of-Absence-Policy-PGME-Policies-and-Procedures.pdf>
2. UBC Policy #3 (*Discrimination*), April 2019  
<https://universitycounsel.ubc.ca/files/2019/04/policy3.pdf>
3. BC *Freedom of Information and Protection of Privacy Act*  
[http://www.bclaws.ca/Recon/document/ID/freeside/96165\\_00](http://www.bclaws.ca/Recon/document/ID/freeside/96165_00)
4. CaRMS, Accessible Customer Service Policy, April 2012  
[https://www.carms.ca/eng/customer\\_service\\_policy\\_e.shtml](https://www.carms.ca/eng/customer_service_policy_e.shtml)
5. The College of Family Physicians of Canada, Exam Accommodation for Special Needs and Impediments  
[https://www.cfpc.ca/uploadedFiles/Education/Exam\\_Information/Policy\\_on\\_Accommodation\\_for\\_Special\\_Needs.pdf](https://www.cfpc.ca/uploadedFiles/Education/Exam_Information/Policy_on_Accommodation_for_Special_Needs.pdf)
6. Royal College of Physicians and Surgeons of Canada, Candidates requiring exam accommodation <http://www.royalcollege.ca/rcsite/credentials-exams/writing-exams/registration/candidates-requiring-exam-accommodation-e>
7. BC Human Rights Code  
[http://www.bclaws.ca/Recon/document/ID/freeside/00\\_96210\\_01](http://www.bclaws.ca/Recon/document/ID/freeside/00_96210_01)



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### **Appendix 1**

#### **Technical Standards required for Residents in Postgraduate Medical Education**

UBC has a responsibility to provide an inclusive and welcoming environment for Residents with disabilities, ensure that eligible Residents are not denied admission on the basis of their disability, make its facilities, courses and programs accessible to Residents with disabilities and provide reasonable accommodation to Residents with disabilities to the point of undue hardship. PGME also has the responsibility to provide advice and guidance for Residents with disabilities about the accommodation process, provide information on its website regarding the accommodation process, and ensure that faculty and staff are provided relevant information about PGME's policies and procedures associated with providing accommodation to Residents with disabilities.

The University of British Columbia, Postgraduate Medical Education Program is responsible for oversight of programs of study that graduate Residents with the knowledge, skills, professional behaviours and attitudes necessary to practice their area of medicine in Canada.

#### **POLICY STATEMENTS - Essential Skills & Abilities**

1. All candidates for admission, promotion or graduation in a UBC Postgraduate Medical Education Program must have the required Skills and Abilities (Technical Standards) to successfully achieve the required competencies. The Technical Standards outlined below are consistent with those in Essential Skills and Abilities ("Technical Standards") for Admission, Promotion and Graduation in the MD program of the University of British Columbia MD Undergraduate Education Program, Appendix QQQ.

The skills and abilities are grouped in five broad areas:

- 1.1 Observation - A Resident must be able to participate in learning situations that require skills in observation. In particular, a Resident must be able to accurately observe a patient and acquire visual, auditory and tactile information.
- 1.2 Communication - A Resident must be able to communicate with and observe patients in order to effectively and efficiently elicit information, e.g. describe mood, activity and posture, and to perceive non-verbal communication. A Resident must communicate effectively and sensitively with patients, families and all members of the health care team. A Resident must also be able to coherently summarize and efficiently communicate a patient's condition and management plan.

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- 1.3 Dexterity/Motor Skills & Procedural Skills - A Resident must have sufficient dexterity to safely perform common medical procedures. In addition, a Resident must be willing and able to provide general and emergency medical care to patients, including the performance of relevant procedures at any time, day or night.
  - 1.4 Intellectual, Conceptual, Integrative and Quantitative Abilities - A Resident must demonstrate the cognitive skills and memory necessary to measure, calculate, and reason in order to organize, integrate, synthesize and analyze information in order that competence may be achieved in key areas in diagnosis and management of patients. In addition, a Resident must be able to comprehend dimensional and spatial relationships. All of these problem-solving activities must be completed in a timely fashion
  - 1.5 Behavioral and Social Attributes - A Resident must be able to tolerate the physical, emotional, and mental demands of the program and function effectively under stress. The prompt completion of all responsibilities attendant to the diagnosis and care of patients is essential. In achieving this, a Resident must be able to work under a variety of conditions that may arise in the course of patient care. The conditions include, but are not limited to, the following: prolonged hours of work, unpredictable hours and demands, and distractions from people and the environment. Adaptability to changing environments and the ability to function in the face of uncertainties that are inherent in the care of patients are necessary traits of a Resident. The application of good judgment is necessary. A Resident must consistently demonstrate the emotional health required for full utilization of his/her intellectual abilities, interpersonal awareness and self-awareness. A Resident must also behave in a mature, sensitive manner with patients, families, teachers, peers and other health professionals. Compassion, integrity, concern for others, interpersonal skills, interest and motivation are personal qualities that physicians must demonstrate and, thus, are expected of Residents.
2. Some skills may be achieved with reasonable accommodation
  3. All applicants must review this Technical Standards document to assess their ability to meet these standards.
  4. Any candidate for residency who cannot attain the required skills and abilities through their course of study with or without accommodation may be required to withdraw from the program.

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5. Residents who anticipate requiring disability-related accommodation are responsible for notifying the PGME Office in a timely and proactive fashion at the time of application, and the Royal College of Physicians and Surgeons or College of Family Physicians of Canada, at any time throughout their Residency Program. Requests for accommodation will be assessed by the CA. A Resident with a disability may request an extension of time within which to complete their Residency Program.
  
6. Regulations are issued from time to time by the Royal College of Physicians and Surgeons of Canada or the College of Family Physicians of Canada regarding the accommodation of candidates undertaking examinations as a component of eligibility for licensure: such regulations are supplemental to general information available to all candidates. Accordingly, Residents are encouraged to contact the Royal College or the College of Family Physicians of Canada regarding examination accommodations for disability.

<b>Action</b>	<b>Committee</b>	<b>Date</b>	<b>Status</b>
Approved	PGME Committee	Nov. 26, 2019	Live