POLICY on PHYSICIAN IMPAIRMENT

Physician impairment can be defined as any of the following, which adversely affect the ability to practice safely and effectively:

- Habitual abuse and/or dependence on alcohol;
- Habitual use and/or dependence on narcotics, barbiturates, amphetamines, hallucinogens, or other drugs having similar effects;
- Physical or mental disability\(^1\); or,
- Inappropriate or unprofessional behavior.

Under NY State regulations, any physician (including any resident) who performs medical professional activities while impaired is committing “Professional Misconduct.” Department of Health Rules define the reporting obligations in the event of an action that results in:

“…[D]enial, suspension, restriction, termination or curtailment of training, employment, association, or professional privileges or the denial of certification of completion of training of any physician…[for] alleged mental or physical impairment….”\(^2\)

The hospitals in which AECOM-sponsored residencies function each have established policies and procedures for the investigation and reporting of allegations of physician impairment that may arise in their respective institutions. These policies and procedures meet basic requirements for fairness and due process and have been approved in lieu of an additional COGME policy.

Revised: Sept. 2004

\(^*\) N.B. The Albert Einstein College of Medicine serves as the ACGME-accredited Institutional Sponsor for residency programs based in Montefiore Medical Center (MMC) and in Jacobi Medical Center (JMC). As required by the ACGME, the Committee on Graduate Medical Education of the Albert Einstein College of Medicine has established written policies pertaining to the academic aspects of GME. Residents are the employees of either MMC or JMC. These academic policies are intended to be coordinated with the employment policies of MMC and JMC that relate to the same matter. Responsibility for all employment-related decisions remains with JMC or MMC.

\(^1\) Residents will be provided accommodation, as required by the Americans with Disabilities Act, for physical or mental impairments. A resident who may be unable to perform his/her duties safely and effectively, notwithstanding such accommodation, shall be subject to this policy.

\(^2\) NYSDOH Rules, Part 405, Hospitals-Minimum Standards, Section 3, e. 1.i.