



Department of
UROLOGIC SCIENCES
UBC

UNIVERSITY OF BRITISH COLUMBIA

DEPARTMENT OF UROLOGIC SCIENCES

Accommodation for Residents with Disabilities



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Revision History

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THE UNIVERSITY OF BRITISH COLUMBIA



Department of Urologic Sciences
Faculty of Medicine
Gordon & Leslie Diamond Health Care Centre
Level 6, 2775 Laurel Street
Vancouver, BC, Canada V5Z 1M9
Tel: (604) 875-4301
Fax: (604) 875-4637

UBC DEPARTMENT OF UROLOGIC SCIENCES

ACCOMMODATION FOR RESIDENTS WITH DISABILITIES

Purpose

Residents are both learners in postgraduate training programs and Health Authority employees whose terms and conditions of employment are governed by a collective agreement between the Health Authorities as represented by Health Employers Association of BC (“HEABC”) and Resident Doctors of British Columbia (“Collective Agreement”).

UBC is committed to providing accommodations to Residents with disabilities to promote human rights, equity and diversity. The purpose of this Policy is to outline the principles, responsibilities and processes for the provision of accommodation in residency training. The purpose of accommodation is to create an accessible learning environment that supports Residents with disabilities to meet the essential requirements of CFPC and RCPSC training programs. Accommodations will be provided in a way that respects the dignity, privacy and autonomy of the Resident. Residents are responsible for identifying the need for accommodation and for complying with this policy.

The UBC Centre for Accessibility (“CA”) is available as a resource to PGME to assist Residents with disabilities. When a Resident is referred to the CA by PGME, a disability advisor will work with the

Program Director and the Resident and the Resident's caregivers to provide appropriate accommodation to support the Resident to meet the academic and technical standards of the Program.

Health Authority employers are responsible for providing work-related accommodations that are not otherwise dealt with as training Accommodations. This policy reflects 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 Health Authority, or its representative, to identify and provide work-related accommodations in the clinical setting.

Definitions

Accommodation - refers to any modification that reduces or eliminates barriers to a Resident's participation in academic and clinical training or employment related to a Resident's disability.

CA – UBC Centre for Accessibility

CaRMS - Canadian Resident Matching Service

CFPC - College of Family Physicians of Canada

CPSBC – College of Physicians and Surgeons of British Columbia

Resident with a Disability or Disabilities- a Resident who has a significant and persistent mental or physical medical condition that results in functional restrictions or limitations on the Resident's ability to participate in Residency training without accommodation.

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

Essential Skills and Abilities Document (Technical Standards) – a reference document which outlines the required skills and abilities (technical standards) that all candidates for admission, promotion or graduation in the PGME Programs 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

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

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 those Residents in their residency training who have a Documented Disability.
- 1.4. This Policy does not apply to Residents who require workplace Accommodations but not training Accommodations. The applicable Health Authority policy will apply in these circumstances.

2. Statement of Policy

- 2.1 The Programs and PGME Office commit 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 those applying for residency with a Documented Disability, are entitled to Accommodation(s) that will assist them in achieving the essential skills and abilities associated with the Residency Program in which they have been accepted.
- 2.3 The provision of 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 Program or CFPC or RCPSC educational standards or essential skills of the training.
- 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 UBC's duty to Accommodate Residents with Disabilities is limited to providing reasonable accommodation without incurring undue hardship. What constitutes undue hardship varies depending on a number of factors and must be considered in the context of the circumstances of the individual case. Undue hardship is likely to exist when an Accommodation:
 - 2.6.1 would likely result in a substantial risk to health or safety of 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 requires financial or other resources or imposes logistical challenges that would seriously compromise or undermine the viability of the Program.
- 2.7 The determination of undue hardship is made by the PGME Dean, in consultation with the CA and the Program, after a review of all relevant information related to the Accommodation and the impact of the Accommodation on the Program and the Resident's performance.

3. Procedures

Referrals

- 3.1 Residents who require Accommodation must meet with the Program Director at the earliest opportunity to advise of the need for Accommodation. The Program Director will advise the PGME Deans of the request. The Health Authority where the Resident is working will be notified promptly if a workplace Accommodation has been requested.
- 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 required by the CA for the purpose of assessing the Accommodation request. The Program or PGME may be contacted by the CA for additional information related to the training requirements.
- 3.3 Accommodations requiring modification to the workplace will be referred to the appropriate Health Authority (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 Health Authority or its delegate. Workplace Accommodations that do not require modifications to training will be determined and implemented by the appropriate Health Authority.

Documentation

- 3.4 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 and treatment of the Disability for which Accommodation is being requested. UBC is not required to provide or assume the costs of diagnostic services or of obtaining appropriate documentation.
- 3.5 Residents must 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.
- 3.6 Documentation must be current. For Residents who have a stable condition, no more than 3 years must have elapsed between the time of the assessment and the date of the initial request

for Accommodation. In appropriate circumstances the CA may request more current documentation.

- 3.7 All medical information obtained by the CA will be treated as confidential and will be disclosed on a need to know basis only to the PGME or the Program. Only relevant information related to the functional impairments required for assessment of the required Accommodation, implementation of the Accommodation, and the impact of the Accommodation on the academic assessment will be disclosed by the CA in order for the PGME and the Program to perform their duties under this Policy. Information will be shared with the appropriate representatives of the Health Authority Employer where the Resident is working as necessary in order for the Health Authority to fulfill its duty to accommodate the Resident in the workplace.
- 3.8 Medical documentation provided by the Resident to the CA will not be provided to the Program or PGME or any third party without the consent of the Resident.
- 3.9 Once the CA has determined there is a Documented Disability, the CA will discuss the Accommodations requested with the Resident. The CA may require additional documentation from the Resident before making recommendations with respect to necessary academic adjustments, auxiliary aids and/or services and reasonable and appropriate Accommodations.
- 3.10 The CA will discuss the Accommodation recommendations with the PGME Deans and the Program Director who will determine whether the recommended Accommodation can be provided in the residency training without undue hardship.
- 3.11 Workplace Accommodations that do not have a training component will be determined by the relevant Health Authority. PGME and the Program will be provided notice of any workplace Accommodation.
- 3.12 The Program Director will provide a letter for the Resident detailing the Accommodation (“Accommodation Letter”) that will be provided and will discuss implementation of the Accommodation with the Resident. If the Accommodation may have an impact on the workplace or to any workplace Accommodation, PGME will provide notice to the appropriate Health Authority or delegate.
- 3.13 Residents are encouraged to discuss their Accommodation with their Site Directors or preceptors as appropriate. At the Program Director’s discretion, the Accommodation Letter and direction with respect to implementation may be shared, in whole or in part, with appropriate supervisory faculty.

4. Notification to the RCPSC

- 4.1 The Royal College Credentials Committee must be notified in advance of implementation of any modified residency training program (“Modified Program”).
- 4.2 The RCPSC may require documentation from the Resident’s treating physician confirming functional limitations imposed by the Disability and the potential impact on residency training and evaluation.

- 4.3 The RCPSC requires that the Program Director, PGME Dean, special need, condition or disability or other personal characteristic enumerated under applicable human rights legislation, 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 review the documentation and verify that they consider that the Disability and Accommodation are valid.
- 4.4 The Modified Program must be approved by the Program Director, the appropriate Specialty Committee(s) and the Royal College Credentials Committee.

5. Accommodation Review

- 5.1 Providing 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 they continue to meet the needs of the Resident and requirements of the Program.
- 5.2 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 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 their 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 for providing updated information.
- 5.3 The Resident is required to obtain any updates requested by 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.
- 5.4 Failure to seek and participate in Accommodation review may result in delays in providing the Accommodation or in the appropriate Accommodation not being provided.
- 5.5 If 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 and follow the processes under UBC Policy #3 (Discrimination).
- 5.6 A Resident may also have recourse to processes outside of UBC, such as filing a complaint with the BC Human Rights Tribunal.

6. Accommodation and medical leaves of absence

- 6.1 A Resident returning to training following a Medical Leave may require accommodation to reintegrate into the Program. If the Resident has been receiving Long Term Disability benefits provided by the employer, the Resident may have been provided with a Rehabilitation Plan and/or a Return to Work plan.
- 6.2 The CA, PGME and the Program will work together with the employer and its delegates as provided in the Leave of Absence Policy to ensure a successful return to training and, where required, provision of Accommodation as provided in this policy.

7. Dismissal from program

- 7.1 While the goal of providing Accommodation is to assist Residents with Disabilities to meet essential requirements of the residency training and Program it remains the Resident's responsibility to fulfill those essential requirements. Accommodation shall not lower the Program academic and clinical standards, and shall not interfere with evaluation or assessment of the Resident or with the Resident's responsibility to meet the essential requirements of the Program.
- 7.2 A Resident who is receiving appropriate Accommodation yet cannot meet the educational standards or essential skills of the Program, may be deemed unsuitable for training and dismissed from the Program pursuant to the procedures set out in the PGME Resident Evaluation Policy.
- 7.3 A Resident who is dismissed from the Program can appeal the dismissal decision pursuant to the procedures set out in the Resident Appeals Policy.

Resources and Related Policies

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-PGMEPolicies-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
4. CaRMS, Accessible Customer Service Policy, April 2012
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
6. Royal College of Physicians and Surgeons of Canada, Candidates requiring exam accommodation
<http://www.royalcollege.ca/rcsite/credentials-exams/writing-exams/registration/candidatesrequiring-exam-accommodation-e>
7. BC Human Rights Code http://www.bclaws.ca/Recon/document/ID/freeside/00_96210_01

Appendix 1

This policy references UBC PGME Policies here: <http://postgrad.med.ubc.ca/current-trainees/policies-procedures/>

Technical Standards required for Residents in Postgraduate Medical Education

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:

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.

- 1.1 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.
- 1.2 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.
- 1.3 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.
- 1.4 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 Residents with disabilities may require accommodation to support them to achieve the essential skills. Accommodation will be provided in accordance with the University's obligations and policies including the Accommodation for Residents with Disabilities policy.
- 3 Any candidate for residency who cannot attain the required skills and abilities required by the Program, with or without accommodation, may be required to withdraw from the program.
- 4 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.