



INDIANA UNIVERSITY

SCHOOL OF MEDICINE

GME Leave of Absence Policy

gme-adm-0010

About This Policy

Effective Dates:

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Responsible University Administrator:

Senior Associate Dean for GME

Policy Contact:

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Scope

This policy applies to all Indiana University School of Medicine (IUSM) Graduate Medical Education (GME) resident and fellow physicians.

Policy Statement

The IUSM Leave of Absence Policy for residents was developed to serve the best interests of the individual resident, the resident's colleagues, and to meet the resident's program goals as well as the goals of IUSM.

While the education and well-being of the residents remains the primary concern, other impacts may be simultaneously considered. For example: the patient care outcomes in the clinical learning environment should not be compromised; and the teaching responsibilities of the residents toward the medical students should not be compromised. Additionally, while the aim of return after leave might be to resume duty at the same level or promote as appropriate per the continuum of competence and expectations, some instances may require that the resident demonstrate current competence or remediate the deficits as needed.

IUSM provides eligible residents two types of leaves of absence, a standard leave of absence and a family/medical leave of absence, in accordance with the [Family and Medical Leave Act of 1993 \(FMLA\)](#).

Standard Leave of Absence (LOA)

The amount of paid leave a resident is given will be reduced by the number of paid days off already taken during a given academic year. Discretionary time provided by a program can include holidays, sick, bereavement, and wellness days. The discretionary time reduces the amount of paid leave remaining. Generally, full-time residents may be permitted up to six weeks paid time off, for example two weeks of vacation and four weeks of leave time, with full benefits for bona fide qualifying events, such as ineligible FMLA/short-term disability leave, sick leave, and parental leave.

In some cases, it may be necessary for a resident to be placed on a Standard Leave of Absence as unpaid. This unpaid time off will encompass the same rules for benefit coverage and board requirements. Some examples of unpaid LOA are medical license expiration, various visa issues, any GME requirements to remain clinically active to train, or additional personal leave.

The program director, in consultation with the Director of GME, will determine what constitutes a bona fide leave and the length of leave on a case-by-case basis.

Family Medical Leave (FMLA)

Eligible residents (residents who have worked for IUSM at least twelve months and/or at least 1250 hours during the twelve-month period prior to the first day of leave) are entitled by federal law to a maximum of twelve weeks of FMLA leave. FMLA leave extends up to 12 weeks, not necessarily with pay, but with full benefits for the following qualifying events: birth of a child or care for the newborn; placement with the employee of a child for adoption or foster care; the need for the resident to care for a spouse, child, or parent with a serious health condition; or a serious health condition that renders the resident unable to perform the functions of the job. At full implementation, an FMLA consists of six weeks paid and six weeks unpaid. The amount of paid leave will be reduced by the number of paid days off already taken during a given academic year.

This document is not intended to cover all of the provisions of the FMLA. Some of the key requirements of the FMLA are listed that will have the most significant impact on personnel practices for resident. If more information is required, please contact the GME Office.

Reason For Policy

The purpose of this policy is to define the policy and procedures related to a leave of absence during a GME residency or fellowship.

Procedure

Request for LOA/FMLA: All requests for leaves of absence will be made in writing using either GME's LOA or FMLA form. The form must be submitted to the department chair/program director at least sixty days in advance except for emergent situations. Once the form has been approved by the program director, the resident or coordinator uploads the form into MedHub to inform the GME Office of the request. All requests for leaves of absence require the final approval of the Director of GME.

This policy refers to IUSM's academic year which begins on July 1st and runs through June 30th. Therefore, residents' appointments usually begin on July 1st and end on June 30th of the academic year. Requested leave time includes all calendar days (including weekends).

All international medical graduates are required to have pre-approval for any paid or unpaid leaves of absence.

American Boards: In order to meet the educational requirements for each resident, it is necessary to consult the American Boards of each specialty to determine the maximum leave allowed for a resident to remain Board eligible. Some Boards clearly state the maximum time allowed for leaves; some have no specific policy, while others defer to the program director. Therefore, each Board must be consulted in order to determine if makeup time is required.

Make-Up Time: For a leave of absence that extends beyond the maximum allowed by the specialty Board, the department has the responsibility to see that the best interest of the educational program, as well as the interest of the resident, is served. In order to assure the highest quality education, the department may decide that making up absent time would not be satisfactory. The program director will ultimately decide how to resolve these situations. However, potential problems involving makeup time do not grant the program director the authority to deny FMLA leave to someone lawfully entitled to it.

Any makeup time that is required will be scheduled with an effort to best accommodate the needs of the resident, but makeup time cannot be guaranteed. When makeup time is scheduled, the resident ordinarily will be required to make up the absent time in excess of six weeks (or the maximum allowed by the specialty Board) at the end of the academic year in which the absence occurred. Exceptions will be granted for those programs' whose Boards allow makeup time to be added to the end of training.

This makeup time will necessarily delay the beginning of each of the resident's subsequent academic years by an amount equal to the makeup time (i.e., delay of promotion to the next PGY level). In effect, all future training

years will become off-cycle by an amount equal to the makeup time. Any required makeup time will be paid and all fringe benefits provided.

Each program must provide its residents with a written policy in compliance with its RRC Program Requirements concerning the effect of leaves of absence, for any reason, on satisfying the criteria for completion of the residency program.

Academic Year Transition: When an FMLA/LOA occurs and spans two academic years, careful review will take place to determine if either the initial or subsequent academic year(s) will require make-up time, or if a particular Board views the total time to be unacceptable. If the program director, after confirming Board Requirements, attests in writing that there is no make-up time in the first part of the LOA/FMLA, and it is determined that the resident/fellow should be promoted to the next level on July 1 st , the promotion can be initiated between the program and the GME Office.

Paid Time Off: A resident could be absent as a result of a vacation, a death in the family, military duty, or other personal reasons. See [Policy on Paid Time Off](#) and [Policy on Military Leave](#) for more information. All Departmental/GME approved unpaid time must be recorded in MedHub as a Leave of Absence.

Additional Provisions :

- If a leave extends past six weeks in the first twelve months of a resident's appointment or if a leave extends past twelve weeks for all other appointments, health benefits may be provided at the resident's expense and with the approval of IUSM. During the first 6 months of the leave, any resident premium expenses will be billed to the resident via the GME Office. If the leave extends to 7 months, at the end of the 6 th month and up to 12 months from the start of the unpaid leave of absence, the resident may continue coverage in University-sponsored medical and/or dental care plan coverage, provided the resident pays the full cost of the premium. The resident will be billed directly by the University after the completion of the 6 th month. After the completion of 12 months from the unpaid leave of absence, the resident may elect continuation of coverage under COBRA provisions if he or she wishes to continue in the University sponsored medical and dental care plans. (COBRA coverage may continue to another 18 months.)
- A resident who has used all benefit paid time off as part of a leave of absence, but who has not used the complete 6-week paid leave of absence, may take the remainder of the paid leave time later in the same academic year. The initial leave of absence needs to be for an approved qualifying event, such as those within FMLA guidelines. The total paid time taken may not exceed six weeks.

Definitions

A resident is an IUSM resident or fellow, or a non-IUSM resident or fellow electively rotating through IUSM who provides clinical care as part of a GME program.

A qualifying event is any medical event occurring for either a resident, dependent, or any family member for whom the resident is a primary caregiver. This does not include bereavement, employment-related or other personal activities.

Implementation

The Designated Institutional Official (DIO) for Graduate Medical Education is responsible for implementation of this policy.

Oversight

Policy authority for this document resides with the Graduate Medical Education Committee. The DIO and the Graduate Medical Education Committee are responsible for oversight. This policy will be reviewed every three years or more often if deemed necessary.

Forms

Leave of Absence Examples

History

1. Policy gme-adm-0010 approved by GMEC and published on 11 January 2017.
2. Policy reviewed, updated, and approved by GMEC on 20 September 2017.
3. Policy updated for formatting 02 March 2018.
4. Policy updated for formatting 27 June 2018.