



College of Medicine, Faculty of Health Sciences Policy

Policy Name:	Accommodation for Postgraduate Medical Residents with Disabilities
Application/Scope:	All PGME Programs
Approved (Date):	PGME Executive Committee, October 22, 2013 Faculty Executive Council April 30, 2014
Review Date:	
Revised (Date):	
Approved By:	Senate Committee on Instruction and Evaluation September 18, 2014 Senate, November 5, 2014

BACKGROUND

The Manitoba Human Rights Code identifies that all individuals be accorded equality of opportunity, and that reasonable accommodation be made for those with special needs. The University of Manitoba is committed to facilitating the integration of residents with disabilities into the University's Postgraduate Medical Education Programs.

The University of Manitoba is specifically committed to reasonable accommodation of the needs of residents with documented disabilities by making efforts to create a barrier-free learning environment and by providing other supports and services within the limits of available resources. The University of Manitoba will endeavour to meet the identified needs of each resident by adapting services, courses, and programs if feasible and as resources allow, while maintaining appropriate academic standards. The University expects that the responsibility for making reasonable accommodations will be shared by the resident, employer, instructors and support staff. Within the College of Medicine, each resident with a disability is entitled to reasonable accommodation that will assist her or him to meet the academic as well as the technical standards.

DEFINITIONS

CaRMS - Canadian Resident Matching Service

CFPC - College of Family Physicians of Canada

CPSM – College of Physicians and Surgeons of Manitoba

Disability - is a term used to summarize a great number of different functional limitations. It is recognized that people may be disabled by physical, intellectual or sensory impairment, medical conditions or mental illness. Such impairments, conditions or illnesses may be permanent or transitory in nature.

Documented Disability - is a disability requiring accommodation which has been accepted as such by SAS.

Essential Skills and Abilities Document – 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 (including with respect to knowledge, skills, professional behaviours and attitudes) necessary to practice their area of specialty (remove) medicine in Canada.

Home Residency Program – the Residency Program in which postgraduate trainee is based.

PARIM – Professional Association of Residents and Interns of Manitoba

PGME – Postgraduate Medical Education

RCPSC - Royal College of Physicians and Surgeons of Canada

Reasonable Accommodation - refers to a modification of service, equipment or special arrangement put in place to create an accessible learning, training and work environment in a university or other training or work setting for a resident with a Documented Disability. A Reasonable Accommodation must not result in an undue hardship on the University or the Employer (i.e. the WRHA).

Examples of Reasonable Accommodation include without limitation:

- Participation restrictions
- Activity limits
- Special equipment
- Attendant/companion/interpreter

Resident - refers to a Postgraduate medical trainee enrolled in a Residency Program within the College of Medicine.

SAS - Student Accessibility Services, University of Manitoba

WRHA – Winnipeg Regional Health Authority, the employer of the Residents

1. PURPOSE

- 1.1 To provide guidance to support and to promote the training of residents with documented disabilities through Reasonable Accommodation, in compliance with applicable laws and University of Manitoba governing documents, including the University of Manitoba *Accessibility for Students with Disabilities* policy.

2. STATEMENT OF POLICY

- 2.1 The College of Medicine commits to using Reasonable Accommodations and progressive efforts to ensure that residents with documented disabilities are considered for selection to Residency Programs for which they are academically qualified, ensuring full and safe access to the 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 Reasonable Accommodation(s) that will assist them in meeting the essential skills and abilities associated with the Residency Program in which they have been accepted.
- 2.3 The duty to provide Reasonable Accommodation must be determined on a case-by-case basis, taking into account all relevant factors.
- 2.4 A Reasonable Accommodation must not lower the educational standards required of the Resident as set out in the document entitled Essential Skills & Abilities Required for Postgraduate Medical Education.
- 2.5 If the resident would be unable to fulfill his/her duties and/ or meet the educational standards required of the resident even after Reasonable Accommodation to the point of

undue hardship, then accommodation is not appropriate. Consideration of undue hardship will include, but will not be limited to the following factors:

- 2.5.1 Patient health and safety concerns
 - 2.5.2 Benefit of the accommodation
 - 2.5.3 Efficacy
 - 2.5.4 Impact on other protected rights
 - 2.5.5 Impact on other Residents, members of health care teams and service users
 - 2.5.6 Disruption to collective agreements
 - 2.5.7 Financial costs of the accommodation
- 2.6 The test of undue hardship is assessed on a case by case basis at the University level with input from the Residency Program, Department/Section, the WRHA, as the employer, and may also include input from other relevant bodies.
- 2.7 A Reasonable Accommodation cannot place incremental patient care responsibilities on other members of the health care team.
- 2.8 A Reasonable Accommodation must take into consideration the needs of other residents and must not negatively impact the ability of other learners to achieve their learning goals and objectives.
- 2.9 It is the resident's responsibility to declare a disability that may require accommodation to the SAS Office in a timely and proactive fashion.
- 2.10 The objectives for achieving certification and the essential competencies are determined by each individual Home Residency Program. To become certified, all Residents, including those Residents with a disability must demonstrate a full understanding of the required competencies of the Home Residency Program.
- 2.11 In certain circumstances an intermediary may be necessary to assist in effecting a Reasonable Accommodation. The appropriateness of an intermediary will be assessed on a case-by-case basis.
- 2.12 Confidential records of all information regarding accommodation will be kept secured in the SAS Office.
- 2.12.1 The nature of the disability, the nature of the accommodation, the dates of implementation, as well as any subsequent modification to the original accommodation will be kept on file.
- 2.13 Information on the recommended accommodations, the dates of implementation, as well as any subsequent modification to the original accommodation will also be kept in the resident's active file in the PGME Office.
- 2.13.1 Access to the active files is governed by the Faculty Executive Council policy and procedure on Student Records.
- 2.14 Residents will be informed that in order for a requested accommodation to be implemented it may be necessary to share relevant information on a *need to know*,

confidential basis with individuals involved in providing the accommodation (e.g., medical faculty, clinical supervisors, the WRHA as the employer, SAS, physical plant, etc.)

- 2.14.1 All personal information, including personal health information, shall be kept confidential in accordance with The Freedom of Information and Protection of Privacy Act (Manitoba) and The Personal Health Information Act (Manitoba). The information will be shared with only those who need to know in order to give effect to the Policy and assist the resident in obtaining Reasonable Accommodations.
- 2.14.2 The specific logistical requests for accommodation will be forwarded to those responsible for facilitating them and disclosure of the nature of the disability may be required.
- 2.14.3 PGME will seek consent of residents in writing to this degree of disclosure in order to permit the College of Medicine to meet their needs.
- 2.15 Any resident within a Residency Program who cannot attain the required competencies, despite reasonable accommodation, may be terminated from the Residency Program.
- 2.16 A resident who disagrees with the recommendations for accommodation or termination from the Residency Program should in the first instance address his/her concerns with the Associate Dean, Students.
- 2.17 A resident who disagrees with the recommendations for accommodation or termination from the Residency Program has the right to appeal through the standard appeal process within the College of Medicine.
- 2.18 Residents are encouraged to consult with the University of Manitoba, Student Advocacy Office for information and assistance about the appeal processes.
- 2.19 For information about Respectful Work and Learning Environment policy, residents are encouraged to contact University of Manitoba, Human Rights and Advisory Services.

3. PROCEDURES

- 3.1 This policy and the appended document entitled Essential Skills & Abilities Required for Postgraduate Medical Education are posted on the College of Medicine Postgraduate Medical Education website, in addition to the application process and the letter of acceptance.
- 3.2 Residents are informed of the procedures to request accommodation for disabilities by means of the following:
 - 3.2.1 PGME/WRHA Resident Trainee Letter of Offer (“Any PGME/WRHA Resident trainees requiring human rights accommodations for disabilities may do so by contacting the PGME Office or University Student Accessibility Services Office. All such requests will be considered in accordance with applicable laws and policies.”)
 - 3.2.2 Orientation Session for New Residents prior to the commencement of the Residency Program
- 3.3 Residents requiring accommodation can be identified, as follows:
 - 3.3.1 The resident may be known to the University of Manitoba Student Accessibility Services (SAS) already and is now applying to a University of Manitoba Residency

- Program. On selection to the Residency Program he/she may indicate in the selection package the desire to continue receiving accommodation.
- 3.3.2 On selection to a Residency Program, the resident may indicate a need for accommodation in the selection package and make contact with SAS at that time and ask to meet with SAS.
 - 3.3.3 In the course of the Residency Program, a resident may disclose information to the Associate Dean, Students or the Residency Program Director, or the WRHA, as employer, indicating that he/she would benefit from accommodations.
 - 3.3.3.1 Should a disability requiring accommodation arise in the course of remediation proceedings as a rationale for failure of a rotation(s) or an examination(s), accommodation will be addressed in the context of the Remediation Agreement and any future request for accommodation will be made through SAS.
 - 3.3.4 The resident may contact SAS directly to request accommodations.
 - 3.3.4.1 Once SAS is informed of a Resident requesting an accommodation, SAS will meet with the Resident and confirm a Documented Disability, and forward recommendations for Reasonable Accommodations to the Associate Dean, Students.
 - 3.4 The Associate Dean, Students will take the lead in coordinating discussion with SAS, any required outside parties, the Residency Program Director, the Associate Dean, PGME and relevant College of Medicine PGME Office staff in regards to planning accommodations. An Accommodation Team may be created to assist in implementing a plan of Reasonable Accommodation.
 - 3.5 Confidential records of all information regarding accommodation shall be placed and kept secure in the PGME Resident's file located in the Dean's Office, Medicine. The nature of the disability, nature of the accommodation, the dates of implementation as well as any subsequent accommodation will be kept on file. This information will not form part of the resident's academic record.
 - 3.6 The resident shall be provided with a copy of all documents and other information applicable to him/her that is reviewed, created or discussed by the Accessibility and Accommodations Advisory Committee. The resident shall be provided with an opportunity to make submissions to the Accessibility and Accommodations Advisory Committee pertaining to the meaning, accuracy and applicability of any such documents or other information.
 - 3.7 A letter will be sent to the resident by the Residency Program Director with a copy to the Associate Dean, Students and Associate Dean, PGME, confirming that recommended Reasonable Accommodations will be in place.
 - 3.8 Interval reports may be required from health care practitioners involved in the resident's medical care.
 - 3.9 Accommodation plans must be reviewed regularly to ensure accordance between accommodation needs of the resident and requirements of the Residency Program.
 - 3.10 If the Documented Disability primarily requires workplace accommodations such as an environmental sensitivity or the need for an assistive device, the Residency Program Director will contact the Site Coordinators of the training sites to develop an accommodation plan consistent with the procedures and policies of that site.

- 3.11 For certification examinations, residents requiring special examination accommodations, the RCPSC and CFPC guidelines will apply.
- 3.11.1 Residents who require particular consideration at the examination must notify the RCPSC/CFPC Offices of Education by the registration deadlines. Residents must include the following:
- 3.11.1.1 A complete description of the requested accommodation with supporting documentation as follows:
- 3.11.1.1.1 Documentation regarding their disability from their health care provider
- 3.11.1.1.2 Reports on past accommodations, if any
- 3.11.1.1.3 Copies of evaluation reports in sufficient detail to allow the RCPSC and the CFPC to make reasonable decisions regarding accommodation
- 3.12 If it becomes apparent that despite reasonable training accommodations, the nature of the disability may prohibit the resident from successfully achieving the educational standards of the Residency Program, the resident is encouraged to seek career counseling from a mentor, faculty member, Associate Dean, Students or Associate Dean, Professionalism and Diversity, for advice regarding alternate career options.
- 3.12.1 Alternate career options may include transferring to another Residency Program, geographic speciality or both, or withdrawal from residency.
- 3.13 The PGME Accommodations Policy will be reviewed for revision if one or more of the following apply:
- 3.13.1 The document is no longer legislatively or statutorily compliant
- 3.13.2 The document is now in conflict with another University governing document
- 3.13.3 The University overarching Accommodation Policy is revised or repealed
- 3.14 The Associate Dean, PGME, will seek consultation from the U of M Legal Counsel, U of M Human Rights and Advisory Services, CPSM, WRHA, Manitoba Health, PARIM and Doctors Manitoba for any policy review or revisions to the Accommodations policy.

POLICY CONTACT: Associate Dean, Students and Associate Dean, PGME

APPENDIX 1: Essential Skills & Abilities Required for Postgraduate Medical Education

The University of Manitoba, College of Medicine, 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 specialty medicine in Canada.

Physicians possess a defined body of knowledge, clinical skills, procedural skills and professional attitudes, which are directed to effective patient-centered care. They apply these competencies to collect and interpret information, make appropriate clinical decisions, and carry out diagnostic and therapeutic interventions. They do so within the boundaries of their discipline, personal expertise, the healthcare setting and the patient's preferences and context. Their care is characterized by up-to-date, ethical, and resource efficient clinical practice as well as with effective communication in partnership with patients, other health care providers and the community.

The Royal College of Physicians and Surgeons / College of Family Physicians CanMEDS / CanMEDS FM Physician Competency Framework describes the knowledge, skills and abilities that specialist physicians need for better patient outcomes. The framework is based on the seven roles that all physicians need to have, to be better doctors: Medical Expert, Communicator, Collaborator, Manager, Health Advocate, Scholar, and Professional. As such, physicians must be able to:

1. Function effectively as consultants, integrating all of the CanMEDS Roles to provide optimal, ethical and patient-centered medical care;
2. Establish and maintain clinical knowledge, skills and attitudes appropriate to their practice;
3. Perform a complete and appropriate assessment of a patient;
4. Use preventive and therapeutic interventions effectively;
5. Demonstrate proficient and appropriate use of procedural skills, both diagnostic and therapeutic;
6. Seek appropriate consultation from other health professionals, recognizing the limits of their expertise.

POLICY STATEMENTS - Essential Skills & Abilities

1. All candidates for admission, promotion or graduation in the Postgraduate Medical Education Program must have the required Skills and Abilities (Technical Standards) to successfully achieve the required competencies. The skills and abilities are grouped in five broad areas:
 - 1.1 Observation/Perception - A resident must be able to participate in learning situations and acquire information through Observation and Perception by the use of senses and mental abilities. In particular, a resident must participate progressively in patient encounters and acquire information through visual, auditory and somatic sensation.
 - 1.2 Communication - A resident must be able to communicate and to observe individuals or groups of individuals in order to effectively and efficiently elicit and clarify information. In the course of study, the resident must be able to progressively create rapport and develop therapeutic relationships with patients and their families, and establish effective communication with all members of the healthcare team. A resident must also be able to coherently summarize and effectively communicate a patient's condition and management plan verbally, and in written and electronic form.
 - 1.3 Motor/Tactile Function - A resident must possess sufficient Motor function skills required to safely perform a physical examination on a patient, including palpation, auscultation, percussion, and other diagnostic maneuvers. The examination must be done independently and competently in a timely fashion. A resident must possess sufficient motor function and sensory function in order to be able to use common diagnostic aids or instruments (e.g.,

ophthalmoscope, otoscope, sphygmomanometer, stethoscope), either directly or in an adaptive form. A resident must be able to execute Motor movements reasonably required to attain the skills necessary to perform diagnostic procedures, and provide general and emergency medical care to patients in outpatient, inpatient and surgical venues.

- 1.4 Cognition - A resident must demonstrate higher-level cognitive abilities necessary to measure, calculate, and reason in order to conceptualize, analyze, integrate and synthesize information. In addition, the resident must be able to comprehend dimensional and visual-spatial relationships. All of these problem-solving activities must be achieved progressively in a timely fashion. These skills must contribute to sound judgment based upon clinical and ethical reasoning.
 - 1.5 Professionalism - A resident must consistently display integrity, honesty, empathy, compassion, fairness, respect for others, and dedication. Residents must take responsibility for themselves and their behaviours. The resident must promptly complete all assignments and responsibilities attendant not only to the study of medicine, but also to the diagnosis and care of patients. It is essential that a resident progressively develop mature, sensitive and effective relationships with patients and their families, and all members of healthcare teams. The resident must be able to tolerate the physical, emotional, and mental demands of the program and function effectively under stress. It is necessary to adapt to changing environments, and function in the face of uncertainties that are inherent in the care of patients.
2. Postgraduate Residency Programs must define any discipline-specific essential skills and abilities in addition to those outlined in 1.1 to 1.5, and these must be posted on the respective CaRMS websites.
 3. Some skills may be achieved with reasonable accommodation, and reference should be made to the policy entitled *Accommodation for Postgraduate Medical Residents with Disabilities* which precedes this document.
 4. All applicants to the Postgraduate Program of the College of Medicine must review this Essential Skills document to assess their ability to meet these standards. All applicants offered admission will be required to acknowledge via sign off in their letter of offer such review and assessment.
 5. Any candidate for residency who cannot attain the required skills and abilities through their course of study may be required to withdraw from the program.
 6. Residents who anticipate requiring disability-related accommodation are responsible for notifying the University of Manitoba, Student Accessibility Services (SAS) 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 need to be substantiated by SAS.
 7. Residents with a disability may request an extension of time within which to complete their Residency Program but must complete their training within the required time as per the guidelines from the Royal College of Physicians and Surgeons of Canada and the College of Family Physicians of Canada. Such requests are considered on a case-by-case basis.
 8. Regulations are issued from time to time by the Royal College of Physicians and Surgeons 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 regarding examination accommodations for disability.

REFERENCES

CaRMS, Accessible Customer Service Policy, April 2012
https://www.carms.ca/eng/customer_service_policy_e.shtml

College of Family Physicians of Canada, Specific Standards for Family Medicine Residency Programs Accredited by the College of Family Physicians of Canada, Red Book 2013
<http://www.cfpc.ca/uploadedFiles/Red%20Book%20English.pdf>

Council of Ontario Faculties of Medicine (COFM), Policy Document
Essential Skills and Abilities Required for the Study of Medicine, November 2003
http://www.ouac.on.ca/docs/omsas/COFM_Abilities_Sept03.pdf

Government of Manitoba, The Human Rights Code, Oct. 15, 2013
<http://web2.gov.mb.ca/laws/statutes/ccsm/h175e.php>

Houston P, Conn R, Rajan, M, Sinha R, Issues Related to Residents as Workers and Learners. Future of Medical Education in Canada, Postgraduate Project consortium; 2011.
http://www.afmc.ca/pdf/fmec/09_Houston_Worker%20and%20Learners.pdf

Royal College of Physicians and Surgeons of Canada, Candidates requiring special accommodations, 2013
http://www.royalcollege.ca/portal/page/portal/rc/credentials/start/exams/candidate_information/exam_registration/special_needs

Royal College of Physicians and Surgeons of Canada, CanMEDS: better standards, better physicians, better care
<http://www.royalcollege.ca/portal/page/portal/rc/resources/aboutcanmeds>

University of Manitoba, Faculty of Medicine, Learners with Blood Borne Illness policy, Sept 2013
Link: http://umanitoba.ca/faculties/medicine/education/pgme/media/Medical_Learners_with_Blood-borne_PathogensFINALFEC_Sept2013.pdf

University of Manitoba, Faculty of Medicine, Diversity and Inclusion Policy,
http://umanitoba.ca/faculties/medicine/education/ed_dev/media/DiversityPolicy.pdf

University of Manitoba, Faculty of Medicine, Essential Skills and Abilities for Admissions, Promotion and graduation in the MD Program
[http://umanitoba.ca/faculties/medicine/education/undergraduate/media/Essential_Skills_Abilities_for_Admissions_Promotion_Graduation\(1\).pdf](http://umanitoba.ca/faculties/medicine/education/undergraduate/media/Essential_Skills_Abilities_for_Admissions_Promotion_Graduation(1).pdf)

University of Manitoba, Faculty of Medicine, Undergraduate Medical Education, Accommodation for Undergraduate Medical Students with Disabilities
[http://umanitoba.ca/faculties/medicine/education/undergraduate/media/Accommodation_for_Undergraduate_Medical_Students_with_Disabilities\(2\).pdf](http://umanitoba.ca/faculties/medicine/education/undergraduate/media/Accommodation_for_Undergraduate_Medical_Students_with_Disabilities(2).pdf)

University of Manitoba, Accessibility For Students With Disabilities policy and procedure
http://umanitoba.ca/admin/governance/governing_documents/students/281.html
http://umanitoba.ca/admin/governance/governing_documents/students/906.html

University of Manitoba, FPGME Resident Assessment, Promotion, Remediation, Probation, Suspension and Dismissal Policy
http://umanitoba.ca/faculties/medicine/education/pgme/media/PGME_RESIDENT_ASSESSMENT_FINAL.FEC.13Sept2013.pdf

University of Manitoba, Reasonable Accommodation In Employment (Disabilities) policy and procedures
http://umanitoba.ca/admin/governance/governing_documents/staff/886.html
http://umanitoba.ca/admin/governance/governing_documents/staff/887.html

University of Manitoba, Senate Minutes of February 6, 2013, Report of the PResident, Student Accessibility and Reasonable Accommodation Presentation, Greg Juliano, p. 3 - 10
[http://umanitoba.ca/admin/governance/media/2013_02_06_Senate_Minutes_\(2\).pdf](http://umanitoba.ca/admin/governance/media/2013_02_06_Senate_Minutes_(2).pdf)

University of Manitoba, Student Accessibility Services,
http://umanitoba.ca/student/resource/disability_services/

University of Toronto, Postgraduate Medical Education Information 2013-2014
http://www.pgme.utoronto.ca/sites/default/files/public/Current_Trainees/PGME_eBook.pdf