

THE UNIVERSITY OF BRITISH COLUMBIA



Vancouver Senate Academic Policy Committee
c/o
Enrolment Services | Senate & Curriculum Services
Brock Hall 2016 – 1874 East Mall
Vancouver BC V6T 1Z1

27 January 2012

To: Vancouver Senate

From: Senate Academic Policy Committee

RE: Medical Resident Status

The Committee has considered a proposal from the Faculty of Medicine to remove medical residents from the Classification of Students. Given that the relationship between a resident and the University is significantly different from the relationship between a student and the University, the Faculty of Medicine does not feel it appropriate that medical residents remain classified as students. Removing them from this classification will not affect the residents nor will it affect the University's central allocation of funding. The rationale for the proposal is expanded further in the attached document.

As such, the Senate Academic Policy Committee is pleased to recommend the following to Senate:

Motion: *“That ‘medical resident or intern’ be removed from the Classification of Students as laid out in the UBC Vancouver Academic Calendar.”*

Respectfully submitted,

Dr. Paul Harrison, Chair
Senate Academic Policy Committee

JOINT BRIEF TO SENATE REGARDING STATUS OF MEDICAL RESIDENTS

CLASSIFICATION OF MEDICAL RESIDENTS AS STUDENTS

The *University Act* defines a student as a person who is presently enrolled at a university in a credit course or who is designated by resolution of the senate as a student.

In 1992 a Senate resolution designated residents in postgraduate residency training programs in the Faculty of Medicine as a classification of students. The resolution, “that the proposed changes to the “General Information” section of the Calendar be approved” was responsive to recommendations in the report of the Academic Policy Committee regarding classification of students. The minutes of the Senate meeting record that the report made the following observations: “although Residents are not in UBC degree programs they are considered UBC students and are required to register; they are listed in the calendar by the Registrar’s Office under the student category “Resident”; they are not adequately covered by any existing student category”.

It is not clear why the Academic Policy Committee determined that medical residents should be classified as students other than the fact that they are registered at the University and are “considered UBC students”. The limited information available does not indicate that there would be any particular benefit to classifying residents as students. There does not seem to have been widespread consultation regarding the recommendation and it seems likely that the ramifications of making such a designation were not fully considered.

While residents may have been “considered UBC students” there are significant differences in the relationship between the resident and the university and between a student and the university and classification of residents as students is not appropriate given these differences and the nature of the relationship between residents and the University.

On behalf of the Faculty of Medicine and the Office of the Registrar, Dean Gavin Stuart and Registrar James Ridge make this joint request to the Senate to revoke the 1992 resolution and to remove “medical resident or intern” from the student category “Resident” in the Admissions: Classification of Students section of the University Calendar. Item 8 in the list of classes of students would then read:

“Resident. A dental resident or pharmacy resident registered in a postgraduate training program in the Faculty of Dentistry or the Faculty of Pharmaceutical Sciences.”

There are differences in the nature of a residency program among the three faculties mentioned. The reasons why we believe it is appropriate to revoke the classification of medical residents or interns as students are set out below.

POSTGRADUATE RESIDENCY TRAINING PROGRAMS

Residents are medical doctors who are completing their medical training in a Royal College of Physicians and Surgeons and College of Family Physicians accredited residency programs to allow them to meet the certification requirements of their governing College. The Royal College of Physicians and Surgeons (“RCPS”) and the College of Family Practice of Canada (“CFPC”), the Colleges responsible for the setting of training standards, evaluation, and certification of residents in medicine, have formal programs for accreditation of postgraduate education programs. Since 1975 the RCPS has required that all accredited programs be university- based and under the direction of a Canadian university medical school. The Colleges have developed national standards for the training, evaluation and accreditation of postgraduate residency training programs sponsored by Canadian universities. The Colleges assess the various postgraduate residency training programs based on compliance with these standards. Every postgraduate medical training program must be accredited by the two Colleges every 6 years in order to continue offering these programs.

The College requirement for a university structure suitable for the conduct of postgraduate residency programs includes the requirement that there must be a senior faculty officer, such as an assistant, associate or vice dean responsible for the overall conduct and supervision of postgraduate medical education. There must also be a multidisciplinary postgraduate medical education committee to develop and review all aspects of residency education. The responsibilities of the postgraduate medical education committee must include establishing and maintaining an appeal mechanism for matters related to postgraduate medical education decisions.

The Colleges also set standards for the clinical, academic and scholarly content of the postgraduate training programs to ensure that residents are prepared to fulfill all of the core competencies of their specialty. Over the past 35 years the model used by the Colleges for postgraduate specialty training has moved from one of apprenticeship to adult learner with a significant and essential role in patient care. Evaluation of residents is one of the six major standards by which programs are assessed in the accreditation process.

Residents in postgraduate training programs offered by Postgraduate Medical Education in the Faculty of Medicine at the University of British Columbia are not registered in a university degree granting program. They receive no official designation from the University at the completion of their postgraduate training. Completion of the postgraduate training program allows the resident to sit the RCPS and CCFP certification examinations in the resident’s specialty area. Full licensure to practice is dependent on certification by either the RCPS or CFPC.

Postgraduate training positions are funded by the provincial/territorial Ministries of Health in furtherance of an integrated national strategy to improve the management of physician resources in Canada. As an integral component of the postgraduate training process residents are employed by the various Health Authorities in the Province and in their capacity as employees are members of a trade union, the Professional Association of Residents of British Columbia (“PAR-BC”).

The residents' employment is subject to the terms of the collective agreement between the Health Authorities and PAR-BC. The employment and training components create a hybrid relationship amongst the residents, the employers, and the University which is unlike either a regular employment or a regular student relationship. This creates unique challenges in managing the relationship amongst these entities.

RESIDENT EVALUATION PROCESS

Residents are fundamentally different from students and their training programs are unlike those in University degree granting programs. The RCPSC and the CFPC have adopted the CanMEDS framework to identify the essential competencies for Canadian specialist physicians. These competencies form the foundation for training and evaluation in the postgraduate training programs. In addition to establishing competencies in academic and clinical roles the resident must demonstrate competency in the role of professional. This requires the trainee to demonstrate the ability to deliver the highest quality care with integrity, honesty and compassion; to exhibit appropriate personal and interpersonal professional behaviours and to practice medicine ethically consistent with the obligations of a physician. The standards to which a resident is held accountable even during his or her period of training differs qualitatively and quantitatively from the standards to which a student in a university program is normally held. The process for evaluation of a resident's ability to meet these standards and to demonstrate core competencies also differs in significant ways from the evaluation processes routinely employed in the university setting.

The Faculty of Medicine has developed several processes to provide a fair system of evaluation and appeal as required by the College accreditation standards. The Program Director has overall responsibility for resident training and evaluation. Each program has a Residency Training Committee ("RTC") to assist the Program Director and to consider issues related to residency training and evaluation. This committee includes elected resident representation. Under the Resident Evaluation and Appeals Policy the Program Director is required to identify resident weaknesses and to implement a period of remediation or probation as appropriate. The Policy also provides for an Appeals Committee to hear resident appeals of a postgraduate training program's decision to dismiss a resident from the program. A resident can appeal a decision on the basis of procedural fairness or on the basis that the decision was not sound or fair. The Committee's decisions are final and not subject to review.

CLASSIFYING RESIDENTS AS STUDENTS

When the RCPS requirement was first introduced, the impact on the medical schools was not known. It was initially thought that, at a minimum, residents should register with the university to allow for identification of those individuals enrolled in postgraduate training programs. However, it was not felt that they needed to be classified as students. Whether or not residents are counted in the University's enrolment numbers will not affect the University's central allocation of funding. As previously noted the budget for postgraduate training is provided by the Ministry of Health with input from Postgraduate Medical Education.

Residents pay a registration fee to the University and can continue to do so even if they are no longer classified as students. The registration fee is set by the Board of Governors and the fee for 2011-2012 is \$373.89. In exchange for this fee the resident receives liability insurance coverage under the University's Liability Insurance Program for medical malpractice risks and a UBCcard to allow access to the University libraries and facilities. The insurance plan specifically identifies residents as a distinct category; they are not required to be students to obtain coverage.

As previously noted the reasons for seeking the 1992 resolution are not clear. After careful consideration neither the Faculty of Medicine nor the Office of the Registrar can identify any reason to continue to classify residents as students. It is significant that from 1975 until 1992 residents did register with the university through the Registrar's office but they were not classified as students under the *University Act*.

We submit that there is no detriment to residents if they are de-classified as students by a Senate resolution. There is no discernible benefit to having residents classified as students and in many ways such a classification is inappropriate given the marked differences between residents and students. As previously noted there are many significant ways in which residents differ from students including: the hybrid nature of their training; the relationship amongst the residents, the University and the Health Authorities; and the fact that residents do not pay tuition and pay only nominal registration fees to the University. The following summarizes the relevant ways in which residents are distinguishable from students:

1. Although the postgraduate training programs are "sponsored, organized and directed by a university medical school" as required by the Colleges, they are not credit or degree granting programs but are training programs to prepare the residents to meet the College certification requirements. Residents do not receive any degree, diploma or other recognition from the University of their participation in, or completion of, postgraduate training. After completion of an accredited training program, residents may take the specialty certification exams and if successful, be certified to practice this discipline of medicine in Canada. The opportunity to take these exams requires approval of the Program Director.
2. The postgraduate training programs are funded by the Ministry of Health and administered by the Office of Postgraduate Medical Education under the Associate Dean of Postgraduate Education. This is a discrete division in the Faculty of Medicine that operates relatively independently from the rest of the Faculty. The Office of Postgraduate Medical Education administers the Family Medicine Program and 63 specialty and subspecialty training programs. Decisions related to the programs are made by the Program Directors with support from the Postgraduate Deans. The Dean and the rest of the Faculty are not involved in such decision-making.
3. The postgraduate training programs must meet RCPS and CFPC accreditation standards. The various departments develop the postgraduate training programs offered through Postgraduate Medical Education and the programs are reviewed by the Royal College or College of Family Physicians as appropriate. Before new programs are offered, a department

will submit its proposal to the appropriate College for approval. Only programs that meet College approval are offered through Postgraduate Medical Education.

4. Postgraduate Medical Education has provided a process for Resident appeals of decisions to dismiss from the program made by the Program Director and Residency Training Committee. The appeal lies to the Resident Appeals Committee which is comprised of a delegate of the Associate Dean Postgraduate and two Program Directors.
5. Residents who accept positions in a training program offered through Postgraduate Medical Education do so pursuant to a contract with the University. During the training program, and as a condition of being in the program, residents are employed by the Health Authorities who operate the teaching hospitals. The residents' employment is subject to the terms of a collective agreement with PAR- BC. The residents are also given a University appointment which is renewed annually. A resident's position and progress in his or her postgraduate training program is dependent upon the maintenance of his or her standing as an employee with the Health Authority, as a licensed physician with the College of Physicians and Surgeons of British Columbia (CPSBC), and as a resident under the Postgraduate Resident Evaluation and Appeals Policy.

CONSULTATIONS

In order to ensure that input was received from the residents, consultation was requested from the Office of Postgraduate Medical Education (PGME) which includes all of the Program Directors and resident representation. Also all Department Heads were asked to bring forward any additional specific resident concerns. Two issues were raised (federal tax status implications and eligibility for alumni status) which were both addressed satisfactorily with no changes.

SUMMARY

The University, through the Office of Postgraduate Medical Education, sponsors postgraduate training programs in compliance with RCPS and CFPC accreditation standards. These programs provide training to medical graduates who wish to complete their medical training, certify as a specialist or sub-specialist and register to practice. The Office of Postgraduate Medical Education administers these programs and is uniquely qualified to address the needs of residents in the postgraduate training program. While registration with the University provides certain benefits, such as liability coverage and library access, classification of the resident as a student under the *University Act* is not necessary to secure those benefits and the classification itself does not provide any benefits to the residents. Classifying residents as students under the *University Act* is not only unnecessary but inappropriate given the true nature of the relationship between the University and the resident and the significant differences between residents and students.

We ask that Senate revoke the 1992 resolution and eliminate "medical resident" from the student category "Resident" in the Admissions: Classification of Students section of the University Calendar.