

Subject: TRAINEE RECORD RETENTION AND ACCESS POLICY	 UNIVERSITY of MARYLAND MEDICAL CENTER MIDTOWN CAMPUS	Policy Number: GME 030	Effective Date: January 1, 2023
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TRAINEE RECORD RETENTION AND ACCESS POLICY GME 030

1. Purpose

UMMC, as the Sponsoring Institution, is responsible for protecting the security and accuracy of resident/fellow (i.e. trainee) information and training program files. The trainee files provide a comprehensive record of the trainee's activities in a graduate medical education (GME) training program. Records are learner and employee records and are used to verify completion of training requirements. The purpose of this policy is to provide guidance to the programs regarding maintenance and retention of these records.

2. Scope

This policy applies to all graduate medical education residency training programs that the University of Maryland Medical Center Midtown Campus (UMMC Midtown) sponsors.

Program refers to a graduate medical education program that is recognized and sponsored by the University of Maryland Medical Center Midtown Campus and under the administrative oversight of the GME office, Graduate Medical Education Committee and the DIO, including all ACGME- accredited graduate medical education programs, programs accredited by other organizations, and equivalency-accredited programs approved and recognized by the GMEC.

Records refer to documents in paper or electronic formats, including but not limited to internal and external databases used for program management (ex. ERAS, NRMP, San Francisco, Residency Management Systems, Certifying Board Portals, ACGME or other GME program registries).

3. Responsibility

3.1 It is the responsibility of all GME Program Directors, Program Coordinators, Trainees, UMMC Midtown management, University of Maryland School of Medicine officials, other institutional training sites and their officials to comply with this policy. Each training Program Director is required to maintain permanent accurate program files for each trainee that includes documents pertinent to the trainee, including but not limited to the initial application to the program with related documents, regulatory certifications and registrations (e.g. DEA, ALS, etc.) written evaluations of trainee, letters of deficiency, notes related to warnings, remediation or disciplinary actions, results of examinations, procedure and/or clinical experience and competency logs, scholarly, advocacy, quality

and community activities, copies of communications to third parties, e.g. to certifying boards, letters of recommendation, etc.

3.2 Each training Program Director is required to maintain file confidentiality in a secure location in either hard copy or electronic formats. Secure storage, electronic file back-up and recovery protocols must be in place and consistently followed in order to prevent unauthorized access, unlawful use, corruption, destruction or accidental loss.

4. Procedure

UMMC Midtown and its Program Directors collectively assure confidential complete training files are maintained for each trainee. For evaluations, all UMMC Midtown GME programs must use the GME-approved web based, secure residency management system. The files are permanent and may not be destroyed.

4.1 FILE Access

- 4.1.1 Access to the files must be limited to authorized personnel only, i.e. the program director, program coordinator, the trainee, GME administrative personnel, the Designated Institutional Official (DIO or designee. Others may be allowed access as designated by the program director for specific purposes to meet and carry out the requirements of the educational program (e.g. CCC chair for evaluations, faculty mentor for feedback), verification of training, or accreditation purposes (e.g. site visits). In specific circumstances, the contents of the files must be disclosed in order to meet the operational needs of the hospital including requests by Human Resources and UMMC Midtown legal counsel as required by law. Others may be allowed access under special circumstances upon written request and consent from the trainee and with approval by the program director (e.g. for credentialing purposes).
- 4.1.2 A trainee may have timely access to performance evaluations and feedback. Upon request, a trainee or graduate shall be provided with timely access to their file under direct supervision of the program director, or person designated by the program director. Excluded from this are items that the trainee previously waived the right to review (e.g. Letters of recommendation, references) and any other documents that are privileged, confidential, proprietary or otherwise protected under UMMC Midtown policy or the law.
- 4.1.3 The Program Director, GME administrative director or designee may disclose the file or portions of the file to individuals with a business need for information (e.g. for matters relating program quality improvement, patient care (e.g. quality and safety), the quality of patient care in the program, or regulatory audits). UMMC Midtown legal counsel should be consulted to assist with requests for records related to the above or for requests related to litigation or claims.

4.2 FILE Maintenance

- 4.2.1 The Program Director and Program Coordinator should review the trainee files and program administrative files, at a minimum of once, during an academic year, for completeness.

- 4.2.2 Files must be reviewed in advance of an accreditation site visit to ensure that the contents are complete and up to date.
- 4.2.3 Records may not be destroyed if any litigation, claim, negotiation, audit, open records request, administrative review, or other action involving the record is initiated or until the completion of the action and the resolution of all issues that arise from it.
- 4.2.4 GME programs should periodically review file access, security processes, and passwords including removing access for those who no longer have a role in the program.

4.3 Verification of Training:

Primary verification of graduate medical education is important to credentialing of physicians for further training and practice. Such verification for residents/fellows who have completed all or a portion of training must be accurate and timely.

4.3.1 Special Circumstances:

1. Files of Trainees who transition to Faculty or other employment positions should be maintained in accordance with this policy.
2. For trainees who matriculate to the program but do not successfully complete the program, records must be permanently retained.

4.3.2 Records of Unsuccessful Applicants:

Unsuccessful applicant files are defined as the files and supporting documents (e.g. applications, correspondence, written interview evaluations submitted to the program) related to the applicants selected for consideration by the program, but not matriculated into the program. Files of unsuccessful applicants will be retained by the program for two years after recruitment of that applicant has ended and the positions available for that academic year have been filled. Access to unsuccessful applicant files must be limited only to authorized personnel.

4.3.3 Archival:

Records for trainees from programs that are no longer sponsored by UMMC or programs that are administratively withdrawn must be maintained by the original sponsoring department and by the medical staff office.

5. Breach of Policy

In the event of a breach of the policy an assessment will be performed under the direction of the GMEC. After assessment of the event, any individual(s) determined to have breached the policy at a minimum receive counseling, remediation, and may have restricted or permanent removal of ability to access trainee and/or program records.

In the event of externally reported violations or investigations (ex. AAMC, ERAS, NRMP, other Matching Programs, Professional Organizations or other regulatory

agencies), UMMC GME programs and personnel will comply with the investigation, policies and procedures.

UMMC Midtown GME-sponsored programs will comply with the residency management system (e.g. E*Value, MedHub) administrative access policies based upon assigned roles.