

Administration:: Management of Human Resources (HR)::Request to be Excused from Patient Care - Issue No. 831-200-117

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POLICY AND PROCEDURE MANUAL
DEPARTMENT: Administration

ISSUE NO: 831-200-117

EFFECTIVE DATE: September 26, 2011

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SUBJECT:

Request to be Excused from Patient Care

PURPOSE:

This policy provides direction to University Hospital managers and employees to ensure delivery of care to all patients while respecting employees' cultural values and religious beliefs. For purposes of this policy, the term "employees" means employees, attending physicians, residents, nurses, other licensed independent practitioners, students and any providers of care at University Hospital. This policy applies to all individuals defined in this section as employees.

POLICY:

UH employees are required to provide considerate, respectful and comprehensive care to patients. Continuity and quality of care cannot be compromised because of an employee's moral, ethical or religious beliefs. Employees must notify their supervisor in writing of constraints which may impact performance of their job duties. Otherwise, the patient's race, religion, national origin, ancestry, age, gender, sexual orientation, gender identity or expression, marital, domestic partner, civil union status, disease or medical condition will not be considered an acceptable excuse not to participate in patient care procedures or patient care.

RESPONSIBILITY:

The CEO, CMO, CNO, Executive Director for Hospital Operations and all management and supervisory staff shall ensure compliance with this policy.

PROCEDURE:

- 1) Except for the provision of emergency care, an employee may request to be excused from participating in any specific patient care based on his/her cultural values, ethics and/or religious beliefs. Participation means a staff member who has direct involvement in the procedure and/or attendance in the room at the time of the procedure. It does not refer to emergency care and support activities such as pre-and post- procedure care, room cleaning, record keeping, etc.
- 2) The employee must notify his/her supervisor and The Office of Workplace Diversity and submit in writing a request for accommodation as soon as reasonably possible, citing the particular aspects of care from which s/he wishes to be excused and the basis for the request. The Office of Workplace Diversity will complete a written response back to the employee, following consultation with the manager's department head.
- 3) A primary mission of the University Hospital is to provide all patients with safe, quality patient care. Under no circumstances will an employee have the right to refuse to care for any patient without prior approval as required by this policy. Accordingly, employees must provide the appropriate level of care while their request is being considered. Refusal to do so will result in disciplinary action up to and including termination. Employees are advised to submit requests to be excused from specific procedures well in advance to provide sufficient time for the request to be considered without disrupting safe and effective patient care.
- 4) In the event a request for accommodation cannot be granted due to staffing or other reasons, the employee will be advised as soon as possible. The employee will be advised to seek a transfer to a department where conflicts of care issues are less likely to occur in the future and/or to seek the assistance of the Office of Human Resources in locating another position. University Hospital cannot provide any guaranties or assurances, however, that another position will be available.
- 5) In considering employee requests to be excused, the department head should ensure that it can identify other employees or sources of staffing that can provide the appropriate level of care. The managers and supervisors have the responsibility of ensuring that all requests are considered fairly and the department makes the final decision.

- 6) Requests to be excused from participation in certain patient care procedures, which are approved pursuant to this policy or through other means, may be re-evaluated and the approval revoked or revised at any time if the department head determines that the current situation requires the participation of the employee in previously excused procedures in order to provide appropriate patient care. Such circumstances may arise due to emergencies, changes in staffing availability, patient load or other changes in hospital conditions which directly affect the ability of the hospital to provide safe and effective care.
- 7) Under no circumstances will an employee's request to be excused from patient care be granted if it is determined by University Hospital that the granting of said request would violate Local, State and/or Federal laws.
- 8) Record of the request and its disposition will be kept by The Office of Workplace Diversity and the employee's department in the employees file. The Labor Relations office of Human Resources should be consulted for guidance.
- 9) The employee's Department must give proper written notification to the affected individual(s) in the practice or the school.

REFERENCE:

The Joint Commission Comprehensive Accreditation Manual for Hospitals