Policy for Technical Standards for Admission,
Retention, Promotion, and Graduation (MD)

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I. **Purpose**

As required by accrediting agencies and permitted by law, Albert Einstein College of Medicine (“Einstein” or “College of Medicine”) has adopted technical standards that are to be applied to consideration of admission, matriculation, pursuit of the educational program, retention, promotion, and graduation from Einstein.

II. **Scope**

This Policy applies to students in the Einstein MD Program.

III. **Policy**

Patient care activities are a sine qua non of clinical medical training. The obligation to render safe care to patients is, and must be, the priority in medical education and medical care. Technical standards are developed to align the disability needs of any individual student with that priority. Certain chronic or recurring illnesses and problems that interfere with patient care or safety may be incompatible with medical training or practice. Should a candidate have a condition that would place patients or others at significant risk, that condition may be the basis for denial of admission/matriculation or for dismissal from the medical education program. Students unable to consistently and reliably satisfy the Einstein technical standards, despite opportunity for professional clinical assistance, are subject to reconsideration of their fitness to continue medical training and may be subject to proceedings and decisions as per the by-laws of the Committee on Student Promotions and Professional Standards (CSPPS).

Under the law, a school need not approve any proposed accommodation that may reasonably compromise patient health or safety. On this basis, "reasonable" accommodations, which might be widely accepted in other types of educational programs, may not be approved by Einstein or within other medical school programs at affiliated sites. The dependence of patients on the skills and capacities of medical trainees and practitioners warrants that medical training institutions interpret and apply the Rehabilitation Act (RA) and the Americans With Disabilities Act (ADA) differently than might other educational institutions. Accordingly, the Einstein technical standards do not allow for the ongoing use of intermediaries in the pursuit of a medical education at our institution.

III.A. **Implementation of Technical Standards at Einstein**

Each institution is required to designate staff to coordinate compliance with the RA, the ADA, and similar enactments. The Office of Student Affairs (OSA) for the MD Program and/or its designee(s) serve as the coordinators for student disability needs at Einstein.

Having established technical standards, Einstein requires that all applicants and current students be made cognizant of them, as well as with the mechanisms by which the technical standards are implemented as described within this Policy. For an applicant for medical school admission to be reviewed for possible consideration, he/she must (without exception) certify that he/she has read the Einstein Policy for Technical Standards for Admission, Retention, Promotion, and Graduation (this document) and declare that he/she is able to meet these technical standards. At this initial certification, no additional inquiry is made to establish if accommodations will be needed. By this declaration on the part of the applicant, the initial review for admission seeks to avert the risk of discrimination on the basis of disability status.
After a decision is made to offer an acceptance to a given applicant, that candidate is required to again certify his/her ability to meet the Einstein technical standards, but at this juncture (prior to matriculation) the candidate is required to indicate whether he/she is able to satisfy the technical standards without accommodation or if the candidate asserts a disability, and whether that disability necessitates provision of accommodation(s).

In the latter case, the OSA directs the review of medical and other documentation as provided by and/or required of the candidate and Einstein must then determine if “reasonable accommodation” can be provided, and if so, acceptance and matriculation is approved. Formal applications for specific accommodations by matriculated students are encompassed within the by-laws of the Committee on Student Promotions and Professional Standards (CSPPS).

At this phase, Einstein determines and documents not only the nature and extent of the disability(ies) and how these specifically impact upon technical standard requirements, but also determines the nature and extent of the requested and approved reasonable accommodation(s). An impairment or disability may be such that despite reasonable accommodation the technical standards cannot be met; and there is therefore a definite possibility that as a result of Einstein's review, a preliminary offer of acceptance would be withdrawn by Einstein on this basis, prior to matriculation. Alternatively, it is possible that one or more accommodations might be approved whereas others are denied.

Significant impairments or disabilities which are reasonably likely to affect a prospective student's capacity to satisfy the technical standards, or which represent a condition reasonably likely to prevent completion of the curriculum, may not be concealed or otherwise misrepresented. Doing so would be grounds for immediate suspension, dismissal, and/or other disciplinary considerations as per the by-laws of the CSPPS. Although asking outright if an applicant is disabled is not permitted, the Einstein properly seeks the information necessary to determine if an individual can meet the requirements of the overall educational program.

Subsequent to matriculation, the technical standards continue in force and are applicable at all times through the date of graduation. The technical standards dovetail with the standards-setting functions of the CSPPS. It must be emphasized that short-term incapacity, i.e., temporary inability to satisfy the technical standards, may be addressed by other mechanisms, which are elucidated within the by-laws of the CSPPS. Long-term incapacity, impairment, and/or disability are more the focus of the technical standards and the pre-matriculation process.

In considering the matter of long-and short-term disabilities, it must be recognized that some types of impairments or disabilities may be of an intermittent nature, rarely apparent, remitting for years at a time. Nonetheless, the nature of some such impairments may be such that even the rare intrusion of severe symptoms poses an unacceptable risk to patients or others, and on this basis these conditions may not be compatible with participation in medical training, despite attempts at accommodation.

This Policy is part of the by-laws of the CSPPS, and after matriculation is administered in concert with those by-laws and under the auspices of that Committee. While those by-laws are not primarily applicable to the application and admissions processes, they are in full force from the date of matriculation through graduation. Disability-related matters (and other impairments, both short-term and long-term) are addressed throughout those by-laws, as administered by the CSPPS and the OSA.
III.B. Key Areas of Function and Capacity

Applicants, candidates and matriculated students at Einstein must have capacities and abilities including but not limited to the following five broad areas as described below.

III.B.1. Communication

A student must be able to speak and hear effectively and be able to observe patients and co-workers to elicit information; observe and describe changes in mood, activity, and posture; and to perceive non-verbal communication. A student must be able to communicate effectively and sensitively with patients and their families. Communication includes speech, reading, and writing. Students must learn to recognize and respond promptly to emotional communications such as sadness, worry, agitation, and lack of comprehension of physician communications. The student must be able to communicate effectively and efficiently in oral and written form with all members of the healthcare team.

III.B.2. Observation-Perception

Students must be able to effectively perceive, by the use of senses and mental faculties, the presentation of information through lectures, small and large group discussions and presentations, one-on-one interactions, laboratory exercises and demonstrations, patient encounters either close at hand or at a distance, diagnostic findings and reports including medical imaging formats and microbiologic studies, and from a wide variety of written materials including when these are projected or are available on computer screens. Observation necessitates the functional use of the senses of vision, touch, hearing, and somatic sensation. It is enhanced by the functional use of the sense of smell and by color vision. (Students who are color blind may require special accommodation in Histology.)

III.B.3. Motor-Tactile Function

Students must have sufficient motor function and tactile ability to attend and participate in all classes, groups, and activities which are part of the curriculum; read and write; directly examine patients; perform basic laboratory procedures/tests; maintain appropriate medical records; accompany staff on rounds and clinical conferences; perform basic diagnostic procedures including taking vital signs in urgent circumstances; reliably provide general and emergency patient care; function in outpatient, inpatient, obstetric, and surgical venues; take frequent overnight call in a hospital setting; perform in a reasonably independent and competent fashion in often chaotic and hectic clinical settings; perform cardiopulmonary resuscitation; administer intravenous medication; apply pressure so as to stop bleeding; clear obstructed airways; suture simple wounds; and to perform basic obstetric maneuvers. Such actions require sufficient strength and effective coordination of both gross and fine muscular movements, equilibrium, and functional use of the senses of touch and vision.

III.B.4. Intellectual-Conceptual-Quantitative Abilities

Students must consistently demonstrate the capacity for understanding, synthesizing, and recalling material presented in classes, labs, small and large groups, patient interactions, and meetings with instructors; committing to memory and effectively recalling the substantial data conveyed in the medical school curriculum; understanding three-dimensional relationships such as those taught in anatomy lab or
those applicable to basic surgical procedures; consistently earning passing scores in written, oral, practical and laboratory examinations; effectively participating in problem-solving including as a team member; effectively interpreting the data collected from the interview/examination and diagnostic testing of patients; effectively analyzing complex clinical situations such as cardiac or pulmonary arrest or airway obstruction; determining the appropriate sequence of events to implement effective clinical treatments; effectively integrating historical, physical, social, and diagnostic test data to develop differential diagnoses and logical treatment planning; understanding indications for common diagnostic testing and common treatment modalities ranging from medications to surgical interventions; logically and systematically approaching clinical problems including in emergency circumstances; exhibiting sound judgment even under pressure; making cogent and thorough presentations; effectively organizing information, materials, tasks and schedules so as to efficiently work in patient care environments; effectively working and learning independently; and effectively functioning as an attentive, productive, and constructive member of a healthcare team.

III.B.5. Professionalism, Behavioral, Social Elements

Students are required to consistently demonstrate integrity and honesty and a strong sense of fairness in all dealings with patients, the families of patients, with peers and co-workers, and in relation to supervisors and teachers. Students must be able to control maladaptive impulses and remain directed by good judgment, even under physically and psychologically exhausting conditions. Students must be able to promptly complete required assignments and responsibilities attendant to the effective diagnosis and treatment of patients, inclusive of assignments commencing during the first year and thereafter. Students must possess the emotional stability necessary for the effective utilization of their intellectual capacity, required for the consistent exercise of good judgment, essential for showing up to compulsory experiences on time and prepared, and requisite to tolerate psychologically and physically taxing work hours and workloads. Students must be adaptable to quickly changing environments and must demonstrate the cognitive and emotional flexibility needed to function effectively in the face of the great uncertainties inherent in the clinical care of patients. Especially at times when interacting with or responsible directly or indirectly for the care of patients, students must reliably possess clear reality-testing capacity, unimpaired by mental pathology from any cause, and must have sufficiently intact mood regulatory capacity to function sensibly and safely. Since students are required to function effectively even when under great stress, it is expected that they will proactively make use of available resources, which help to maintain both physical and mental health. Required professional behavior further includes, but is not limited to: maintaining a professional demeanor while on service and in relation to patients as well as co-workers; refraining from plagiarizing or cheating; preserving confidentiality; responding sensitively to patients' psychosocial problems; effectively bridging barriers in relating to patients and co-workers which arise in association with characteristics such as age, race, sex, language, sexual orientation, religious or other beliefs, social class, or disability; utilizing healthcare delivery resources responsibly; eliciting and integrating feedback from supervisors or peers; and contributing to the effectiveness, efficiency, and collegiality of healthcare teams.

III.C. Additional Requirements and Standards

It is incumbent upon a student to disclose to the proper clinical supervisory person(s) at Einstein or its affiliates, the nature and extent of any significant disability and accommodations required. While this
information need not be shared with all members of the healthcare team, the imperative to care safely for patients warrants a reasonable degree of disclosure. The OSA, and/or its designee shall mediate this disclosure, as indicated, case-by-case. Privacy concerns are balanced with the need for clinical supervision and patient care obligations. A disabled student does not have an absolute right to privacy in the context of clinical training environments, where other considerations must carry equal or greater weight.

It is of particular importance to note once again, that although technological accommodations may be available to assist students with a variety of impairments or disabilities and may be permitted, as detailed throughout this policy, the consistent use of intermediaries, who may interject their power of selection and observation in place of the student’s, will not be permitted. In other words, third parties cannot be used over the long-term to assist students in accomplishing curricular or other requirements in the five key areas elucidated above.

An avowed intention to practice only a narrow part of clinical medicine does not alter the requirement that all students participate in the full curriculum, achieve competence in this curriculum and demonstrate that the standards expressed in this and related policies are met.

Every student must fulfill all the requirements for retention, promotion, graduation, and licensure. Einstein may require that any candidate or student undergo an evaluation for the purpose of determining whether an accepted applicant or matriculated student meets the Einstein technical standards and/or other policy requirements.

This policy is subject to modification pursuant to the by-laws of the CSPPS. Outdated versions of this or other Einstein policies, however obtained or located, are neither relevant nor enforceable and the office of student affairs hard copy is the only official up-to-date version. The adopted technical standards appear in the current CSPPS by-laws and supersede all earlier versions of the technical standards.

IV. Definitions

None.

V. Effective Date

Effective as of: 25 July 2018

VI. Policy Management and Responsibilities

Einstein’s Office of Admissions for the MD Program is the Responsible Office under this Policy. Einstein’s Executive Dean is the Responsible Executive for this Policy. Einstein’s Associate Dean for Student Admissions for the MD Program is the Responsible Officer for the management of this Policy.

VII. Approved (or Revised)

[Signature]

Date 8/17/2018

Responsible Executive