Recruitment or Appointment of Near Relatives to GME Programs

Policy Number: GME - 024  Version: 02
Effective Date: March 9, 2011  Updated: October 10, 2012

Description:
Appointment of near relatives in a UC San Diego Graduate Medical Education (GME) training program may produce a conflict of interest. In searching for qualified candidates for a new or vacant position in a department, those persons responsible for recruitment shall not disqualify a candidate by reason of near relationship to a person already in the department or by reason of near relationship when simultaneous appointment of near relatives in the same department is recommended. This policy is intended to provide guidelines for managing these potential conflicts in accordance with existing UC San Diego policies for hiring near relatives.

Purpose:
This policy presents supplemental information to UC APM 520 and Chapter 380, Section 13 of the Policy and Procedure Manual on the employment of near relatives appointed in GME training programs.

Scope:
Applicants, Trainees, Program Directors, Associate Program Directors, Departmental leadership and faculty involved in UC San Diego GME programs.

Definitions:
A. Near relative: spouse, parent, domestic partner, child, sibling, aunt/uncle, or niece/nephew.

B. In-laws or step-relatives including a relative of a domestic partner in one of the relationships listed above are considered near relatives. Other persons residing in the same household as the employee are also considered near relatives.

POLICY:
The appointment of a near relative of a current faculty member, house officer, or employee of a UC San Diego GME program is permitted when it is in the best interest of the University. Approval is required by the Dean for Medical Education prior to appointment if the near relatives would be employed in the same department or training program and have:

a) A direct or indirect supervisory relationship.
b) The same immediate supervisor.
c) A close working relationship.
A. When the recommended appointment involves such near relationship, this fact shall be noted in
the recommendation, and an analysis of the possible conflict of interest or other disadvantage
in the situation shall be conducted by the Program Director or Department Chair with the
recommendation provided to the Dean for Medical Education, and Associate Dean for GME, in
sufficient time to permit complete review of the case before the proposed effective date.

B. Approval is also required when the familial or work relationship of two current faculty, house
officers, or employees changes so that they become near relatives in the same department.
They shall both inform their Program Director or Department Chair as soon as possible after the
change in status.

C. No faculty member or house officer shall take part in the process of review and decision-making
on any matter concerning appointment, promotion, tenure, salary, retention, discipline, or
termination of a near relative in the same or a different department.

a) Near relatives in the same department will not have access to or attempt to influence any
evaluations, comments, complaints, reviews, inquiries, or investigations.

b) Performance-Related documents will remain completely confidential and one near relative
will not attempt to review them or have anyone report their content regarding the other.

D. When one or both near relatives are academic appointees in the same department, the Program
Director or Department Chair shall submit a letter to the Dean for Medical Education requesting
approval of the employment relationship.

a) The letter shall be signed by both of the near relatives, stating that they shall not participate
in the processes of review and decision-making on any matter concerning appointment,
evaluation, promotion, salary, retention, or termination of a near relative as indicated in
section C.

b) The Associate Dean for GME and Department Chair will ensure a copy of the letter is
included in the academic files of the parties involved.

E. Each near relative should recuse him/herself from voting on each other’s actions if departmental
and campus voting procedures would warrant a vote.

F. One near relative should not supervise the other in the clinical setting. If the working
relationship would normally require one party to supervise the other, an unrelated and qualified
third party should be identified as supervisor to avoid a perception of a conflict of interest.

G. For all matters related to evaluation (including ACGME milestones), promotion, discipline, or
termination of a near relative within the same training program, a Clinical Competence
Committee (CCC), or equivalent, will be created to formally evaluate residents in accordance
with ACGME and institutional guidelines. In the event of a near relative situation the CCC will
include at minimum the Program Director, Associate Dean for GME, Chair of the Graduate
Medical Education Committee (GMEC) and two departmental faculty members. None of the
members of the review committee can be a near relative of the appointee being considered.

References:
UCD Policy and Procedure Manual:
UC APM 520
Section 380-13, Near Relatives.
Section 380-16, Conflict of Interest.

Attachments:
NA

Approval Dates:
GMEC March 9, 2011; Updated October 10, 2012

Contact Information:
Office of Graduate Medical Education; http://meded.ucsd.edu/gme/