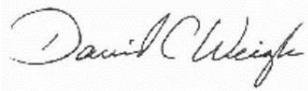


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**Policy Title:** Reasonable Accommodations for Qualified Residents with Disabilities



**Original Date:** May 2020  
**GMEC Endorsed:** May 2020  
**Next Revision Date:** May 2023

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**STATEMENT AND SCOPE OF POLICY:**

To describe UT Southwestern’s policy of providing equal opportunities for qualified residents with disabilities and the procedure residents should follow to request reasonable accommodations due to disability. This policy and procedure applies to all Graduate Medical Education (GME) training programs at UT Southwestern.

**DEFINITIONS:**

**Essential Functions:** The cognitive, physical, educational, clinical, training, and other tasks that a resident must be able to perform, with or without reasonable accommodation, to satisfactorily complete the GME program. The Technical Standards and Essential Functions for UT Southwestern Graduate Medical Education document sets forth the essential functions for residents.

**Health Care Professional:** An individual who possesses the skills, knowledge, and professional credentials to assess whether an individual has a physical or mental impairment that limits one or more major life activities and to recommend reasonable accommodations. The term “Health Care Professional” may include physicians, psychiatrists, psychologists, nurses, physical therapists, occupational therapists, speech therapists, vocational rehabilitation specialists, and licensed mental health professionals.

**Qualified Individual with a Disability:** An individual with a physical or mental impairment that substantially limits a major life activity, an individual with a record of such impairment, or an individual who is regarded as having such impairment, who otherwise meets the qualifications or eligibility requirements for admission to and participation in the desired GME program and who can perform the essential functions of the program, with or without reasonable accommodation.

**Reasonable Accommodation:** An adjustment, modification, or auxiliary aid that allows the individual with a disability equal access to, participation in, or benefits of the desired program. An accommodation is not reasonable if it will cause undue hardship, financial or otherwise, to the institution; fundamentally alter the curriculum or educational experience; or pose a direct threat to health or safety. Accommodations may not be reasonable with respect to certain academic requirements that are essential to the instruction being pursued or to any directly related licensing requirements.

**Resident:** Any physician in any GME program at UT Southwestern, including interns, residents, fellows, and subspecialty residents.

**POLICY**

Section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990, as amended, prohibit discrimination against qualified individuals with a disability. In accordance with these and other federal and state laws, it is the policy of UT Southwestern that no qualified individual shall, based upon disability, be denied admission to, excluded from participation in, denied the benefits of, or subjected to discrimination in any program or activity at UT Southwestern. All qualified individuals who can perform the essential functions of the desired program, with or without reasonable accommodation, will be given equal consideration without regard to disability.

Reasonable accommodations will be provided to enable an individual to participate in UT Southwestern's GME programs, unless doing so would cause undue hardship to the operations of UT Southwestern, cause an alternation or modification to a program to the extent it changes the fundamental nature of that program, or constitute a direct threat to health or safety.

All offices and individuals responsible for reviewing and analyzing medical or disability-related records as part of the accommodations process will maintain the confidentiality of the information on a need-to-know basis to the extent required by law. These records must be maintained separately from other records and must be accessible only to authorized personnel. Medical and disability-related records information may be shared with faculty, administrators, staff, or other authorized individuals, as necessary, for UT Southwestern to (1) determine whether a resident is otherwise qualified for a program, (2) assess the resident's records, and (3) determine what accommodations are reasonable. First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment or if any specific procedures are needed in the case of fire or other evacuations. Government officials investigating compliance with applicable laws may also be provided relevant information as requested. Completed requests will be maintained by the Program Director or the Office of Graduate Medical Education in a confidential manner, in accordance with applicable federal and state laws and UT Southwestern's records retention policy.

Residents may initiate complaints alleging violation of this policy by contacting the Office of Institutional Equity & Access in accordance with ETH-151P-01 Equal Opportunity Complaint Investigation and Resolution.

UT Southwestern prohibits retaliation against individuals who request reasonable accommodations or who submit a complaint or participate in an investigation regarding a violation of this policy. Individuals who engage in conduct prohibited by this policy are subject to disciplinary action, up to and including dismissal or non-renewal of appointment. See ETH-151 Equal Opportunity.

#### **PROCEDURE**

1. Residents may obtain instructions regarding how to submit a complete request for reasonable accommodations due to disability from the Program Director or the Office of Graduate Medical Education.
2. Residents are encouraged to request accommodations as soon as practicable after the resident first becomes aware an accommodation may be needed. If a resident is unable to submit a request for accommodation due to unexpected illness or incapacity, a request may be submitted on the resident's behalf.
3. It is the responsibility of the resident to provide sufficient supporting medical documentation from a Health Care Professional, if required. Residents are responsible for any costs associated with obtaining the necessary supporting medical documentation. Supporting medical documentation must be current and based upon an evaluation no more than three (3) years old. Depending on the circumstances, UT Southwestern may require a more recent evaluation.
4. Completed requests for accommodations will be evaluated through an interactive process involving the resident, the Program Director, the Office of Graduate Medical Education, and, if appropriate, the resident's employer and/or training site. Although consideration is given to the resident's preferred accommodations, it is the responsibility of UT Southwestern and, if appropriate, the employer and/or training site to determine what, if any, reasonable accommodations will be provided. The resident's failure to submit all necessary information, or to participate in the accommodations process, may result in delay or denial of the request.
5. The resident will receive a written response indicating whether the request for accommodations has been approved or denied. If the request has been approved, the response will contain a description of the nature of the accommodations the resident will receive. The Program Director will notify appropriate program personnel of the approved accommodations. Approved accommodations may be modified if there is a change in circumstance.