



Albert Einstein College of Medicine

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

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## **I. Purpose**

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, as required by accrediting agencies and permitted by law. Einstein does not discriminate against any individual on the basis of disability or handicap and is committed to the full and equitable inclusion of applicants and matriculated and current students with disabilities.

## **II. Scope**

This Policy applies to students in the Einstein MD Program and students in the MD phase of the Medical Scientist Training Program (MSTP).

## **III. Policy**

Patient care activities are an essential part of clinical medical training. The obligation to render safe care to patients is the priority in medical education and medical care. These technical standards are developed to align the disability needs of any individual student with that priority. Einstein intends for its students to become competent and compassionate physicians capable of meeting all requirements for medical licensure. 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, with or without accommodations, are subject to reconsideration of their fitness to continue medical training and may be subject to proceedings and decisions as per the policies and procedures of the Committee on Student Promotions and Professional Standards (CSPPS).

Under the law, a medical school need not approve any proposed accommodation that may reasonably compromise patient health or safety. 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. On this basis, accommodations that might be considered reasonable and widely accepted in other types of educational programs may not be reasonable within medical school programs and affiliated sites and, therefore, may not be approved by Einstein.

### **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 accepted and current students be made cognizant of them, as well as the mechanisms by which the technical standards are implemented as described within this Policy. Medical students must (without exception) certify that they have read the *Einstein Policy for Technical Standards for Admission, Retention, Promotion, and Graduation* (this document) and affirm that they are able to meet these technical standards without accommodation or if the candidate asserts a disability, whether that disability necessitates the provision of accommodation(s).

In the latter case, if identified prior to matriculation, the OSA directs the review of medical and other documentation as provided by and/or required of the candidate, and Einstein then determines if "reasonable accommodation" can be provided. If so, matriculation is approved. For disabilities that arise after matriculation, the OSA will direct the review of medical and other documentation as provided by and/or required by the student, and Einstein then determines if "reasonable accommodation" can be provided. If so, the student is permitted to continue in the curriculum. If Einstein cannot reasonably accommodate the disability, then the student might not be able to complete the program.

At the matriculation phase, Einstein determines and documents not only the nature and extent of the disability(ies) and how these specifically impact 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. Therefore there is a possibility that as a result of Einstein's review, a preliminary offer of acceptance would be withdrawn prior to matriculation. Alternatively, it is possible that one or more accommodations might be approved, whereas others are denied. The OSA will work with matriculated students to identify reasonable accommodations that meet the technical standards and collaborate with students to develop ways to improve accessibility and create a respectful, accountable learning culture.

Significant impairments or disabilities likely to affect a student's capacity to satisfy the technical standards or 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 policies and procedures of the CSPPS. Although asking outright if an applicant is disabled is not permitted, Einstein will properly seek the information necessary to determine if an individual can meet the requirements of the overall educational program. Students are also required to reaffirm their ability to meet the technical standards with or without accommodations at the start of each academic year.

Subsequent to matriculation, the technical standards are applicable at all times through the date of graduation. 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 outlined in the policies and procedures of the CSPPS. Long-term incapacity, impairment, and/or disability are the focus of the technical standards.

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

While those policies and procedures 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 through the Leave of Absence policy, as administered by the CSPPS and the OSA.

### **III.B. Key Areas of Function and Capacity**

Students at Einstein must have capacities and abilities, including but not limited to the following five areas described below. Although the areas outline the necessary physical and mental abilities of all

students, they are not intended to deter any candidate for whom reasonable accommodation will allow the fulfillment of all curricular and clinical requirements. A "qualified person with a disability" is an individual who meets the academic and technical standards required for admission to, retention in, and graduation from Einstein, with or without accommodations.

### **III.B.1. Communication**

A student must be able to relate effectively and sensitively with patients, their family members/caregivers, and health care team members, faculty, and administrative staff of all races, genders, ages, lifestyles, sexual orientations, and political, cultural, and religious backgrounds. The student must be able to communicate effectively, including through the use of translation services, when appropriate, to elicit and respond to information on patient histories and medical conditions; changes in a patient's activity and emotional state (e.g., agitation, worry, sadness), and a patient's comprehension of provider findings and treatment recommendations. Communication can be verbal and non-verbal, including oral and written presentations and reading and recording of observations, assessments, and treatment plans.

### **III.B.2. Observation-Perception**

Students must be able to effectively acquire and make accurate observations from the information presented and demonstrated during in-person and remote lectures and in clinical settings, including laboratory exercises, patient encounters, and diagnostic findings and reports (e.g., medical imaging, microbiologic studies, and measurements on diagnostic equipment). Observation may be enhanced by the functional use of the senses (i.e., color vision, touch, smell, hearing, somatic sensations), and some accommodations can be made when needed.

### **III.B.3. Motor Coordination Function**

Students must have sufficient physical mobility, gross and fine motor neuromuscular functions, and equilibrium to competently perform a physical examination and diagnostic maneuvers of any patient.

Students must have the ability to reliably provide general and emergency patient care (e.g., perform cardiopulmonary resuscitation, administer intravenous medication, take vitals in urgent circumstances, apply pressure so as to stop bleeding, clear obstructed airways, suture simple wounds, perform basic obstetric maneuvers); function in outpatient, inpatient, obstetric, and surgical venues; perform basic laboratory procedures/tests; handle medical instruments and equipment with precision; maintain appropriate medical records; and accompany staff on rounds and clinical conferences. Students also must meet safety standards for each setting and adhere to universal precautions.

### **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 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; 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. Students must communicate the limits of their knowledge to others when appropriate.

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

Students are required to consistently demonstrate integrity, honesty, and a strong sense of fairness in all dealings with patients and the families/caretakers of patients, with peers and co-workers, and with 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, including those attendants to the effective diagnosis and treatment of patients. Students must possess sufficient maturity and the emotional stability necessary for the effective utilization of their intellectual capacity, and 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 demanding 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. 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 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; 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**

Students also must comply with all applicable vaccination requirements mandated by federal, state, and local agencies, as well as the vaccination requirements of the College and affiliated sites, including any vaccination requirements relating to SARS-COV2 (COVID-19), to be eligible for matriculation and promotion subject to any permissible exemptions available for healthcare workers.

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 student with disabilities 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 again that, although technological accommodations may be available to assist students with a variety of impairments or disabilities, 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 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 policies and procedures of the CSPPS. Outdated versions of this or other Einstein policies, however, obtained or located, are neither relevant nor enforceable.

#### **IV. Definitions**

None.

#### **V. Effective Date**

Effective as of: 22<sup>nd</sup> of June 2023

#### **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)**

	
_____ Responsible Executive	_____ Date