

Supervising Resident Physician Medical Education

Presented by:

The Florida Professional Liability Self-Insurance Programs

Disclosure Statement: The Florida Professional Liability Self-Insurance Program has disclosed that they have no relevant financial relationships. No one else in a position to control content has any financial relationships to disclose.

Requirements for Successful Completion:

This CME activity consists of an educational component (slides, audio/online lecture) which is followed by an online post-test. Certificates are awarded upon successful completion (80% proficiency) of the post-test. In order to receive credit, participants must view the presentation in its entirety.

Release Date: 07/01/2020

Expiration Date: 06/30/2022

Target Audience: Primary Care Physicians, Specialty Physicians, Physician Assistants, Nurses, and Residents.

Learning Objectives: As a result of the participation in this activity, participants should be able to:

1. Categorize the requirements that Florida Law, the Accreditation Council for Graduate Medical Education, the Joint Commission and sponsoring institutions place upon teaching physicians who supervisor resident.
2. Identify and differentiate the CMA and ACGME supervisory levels teaching physicians should employ when supervising resident physicians.
3. Recognize the basic elements of medical malpractice, sovereign immunity and appreciate the role negligent supervision plays in malpractice actions.
4. Apply techniques to avoid supervision related claims and provide appropriate resident supervision.

CME Advisory Committee Disclosure:

Conflict of interest information for the CME Advisory Committee members can be found on the following website: <https://cme.ufl.edu/disclosure/>.

Accreditation: The University of Florida College of Medicine is accredited by the Accreditation Council for continuing Medical Education (ACCME) to provide continuing medical education for physicians.

Credit: The University of Florida College of Medicine designates this enduring material for a maximum of 1 AMA PRA Category 1 Credit™. Physicians should claim only the credit commensurate with the extent of their participation in the activity.

Contact: If you have any questions please feel free to contact SIPHELP at (352) 273-7006 or at SIPHELP@ad.ufl.edu.

Bibliographic Sources:

1. Florida Statute § 1012.965
2. Martin v Drylie, 560 So.2d 1285 (Fl Dist Ct App 1990).
3. Variety Children's Hospital v Perkins (Fl Ct App 1980).
4. King JH. The standard of care for residents and other medical school graduates in training. Am. U.L. Rev. 2006; 55:683, 751.
5. Hanford E (2012, January 1). Physicians Seek to Lose the Lecture as Teaching Tool. Retrieved January 4, 2012, from www.npr.org
6. Kilminster S, Cottrell D, Grant J, Jolly B. Effective educational and clinical supervision. AMEE Guide No. 27. 2007;29:2-19.
7. Frawley-Birdwell A (2011, December 21). New UF master's Degree to Help Doctors Become Better Teachers. Retrieved from University of Florida www.ufl.edu

8. Kesselheim A, Barnett SR, H, Shapiro J (2009 January). Risk Management Basics: Protection and Pitfalls. Retrieved December 8, 2011, from CRICO/RMF of the Harvard Medical Institutions; www.rmfcme.com
9. Reuter SR. Professional liability in postgraduate medical education. *J Leg Med.* 1994;15:485-531.
10. Gantous A. Negligent Supervision of Medical Residents Causes Serious Injuries to Patients (2011, February 1). Retrieved from Pierce & Thornton, P.A. www.pierceandthornton.com
11. Baldwin DC, Daugherty SR, Ryan P. How residents view their clinical supervision: a reanalysis of classic national survey data. *J Grad Med Educ.* 2010 March;2(1):37-45.
12. Kachalia A, Studdert OM. Professional liability issues in graduate medical education. *JAMA.* 2004;292(9):1051-1056.
13. Bush RW. Supervision in medical education: logical fallacies and clear choices. *J Grad Med Educ.* 2010 March;141-143.
14. Supervising Medical Students and Residents (2009, April 19). Retrieved from LSU Law Center www.biotech.law.lsu.edu
15. Byington M, Ostergard N. The changing landscape of supervision. *Risk Management Forum* (Foundation of the Harvard Medical Institutions). 1999 March;19(5):1-11.
16. Woods SK, Burgess L, Kaminetzky C, McNeil C, Pinheiro S, Heflin MT. Defining the roles of advisors and mentors in postgraduate medical education: faculty perceptions, roles, responsibilities, and resource needs. *J Grad Med Educ.* 2010 June;2(2):195-200.
17. Nissen K, Angus SV, Miller W, Silverman AR. Teaching risk management: addressing ACGME core competencies. *J Grad Med Educ.* 2010 December;2(4):589-594.
18. Cappel MS. A resident or fellow's dilemma: a medically incorrect order by a direct clinical supervisor. *Dig Dis Sci.* 2010;55:212-214.
19. Phillibert I. Supervision, preoccupation with failure, and the cultural shift in patient handover. *J Grad Med Educ.* 2010 March;2(1):144-145.
20. Hochberg M, Seib C, Berman R, Kalet A, Zabar S, Pachter L. Malpractice in an academic medical center: a frequently overlooked aspect of professionalism education. *Academic Medicine.* 2011 March;86(3):365-368.
21. Recupero PR, Rainey SE. Liability and risk management in outpatient psychotherapy supervision. *J Am Acad Psychiatry Law.* 2007;35(2):188-195.
22. Health Law Alert: 2007 Medical Education Checklist (2007, May 8). Retrieved from Hall, Render, Killian, Heath & Lyman www.hallrender.com
23. The Lexicon of Supervision: CMS Versus ACGME Defined Terms (2011, July 5). Retrieved February 22, 2011, from Hall, Render, Killian, Heath & Lyman; www.hallrender.com
24. CMS Again Revises Supervision Requirements for Hospital Outpatient Services (2010, November 22). Retrieved February 22, 2011, from Hall, Render, Killian, Heath & Lyman; www.hallrender.com
25. Ashley RC. The liability of preceptors. *Crit Care Nurse.* 2004;24:98-99.
26. Butters JM, Strobe JL. Legal standards of conduct for students and residents: implications for health professions educators. *Academic Medicine.* 1996;71:583-590.
27. Fitzpatrick JM. Are you liable for a resident's mistake? *Medical Economics.* 2005;82(11):62.
28. Johnson LI. Your liability when you teach residents. *Medical Economics.* 2000;77:187-188.
29. Johns MM. Ensuring an effective physician workforce for America: recommendations for an accountable graduate medical education system. 2011 April. Proceedings of a conference chaired by Michael M.E. Johns, M.D.
30. Residency (medicine) (2011, August 12). Retrieved from www.en.wikipedia.org
31. Dalia S, Schiffman FJ. Who's my doctor? First-year residents and patient care: hospitalized patients' perception of their "main physician." *J Grad Med Educ.* 2010. June:201-205.
32. Institutional Requirements -Graduate Medical Education: ACGME Approved 2/11/03, effective 7 /3/03. Retrieved from www.acgme.org
33. Supervision Protocols for Residents/Fellows: University of Florida College of Medicine Jacksonville Office of Educational Affairs {2001, September 2}. Retrieved from www.hscj.ufl.edu/medicine/educational-affairs.asp
34. Common Program Requirements: General Competencies (2007, February 13). Retrieved from Accreditation Council for Graduate Medical Education www.acgme.org
35. Resident as Teacher - Giving Effective Feedback Module. Retrieved October 19, 2011, from <http://housestaff.medinfo.ufl.edu>
36. Accreditation Council for Graduate Medical Education (ACGME) Bulletin (2011 March). Retrieved from Accreditation Council for Graduate Medical Education; http://www.acgme.org/acWebsite/bulletin-e/ebu_index.asp

37. Henry, K. Implementation of duty hours regulations: exploring new models from New York to the nation.
38. Resident Supervision - MUSC GME Resident Handbook (2011-2012). Retrieved from Medical University of South Carolina; <http://www.musc.edu/gmehandbook>
39. Committee on Medical Liability. Policy statement - American academy of pediatrics: professional liability coverage for residents and fellows. *Pediatrics*. 2000;106(3):605- 609.
40. Expected Communication Practices for Residents, Fellows and Mid-level Providers. Retrieved from Faulkner Hospital www.faulkner.org
41. ACGME Institutional Requirements (2007, July 1) Retrieved from Accreditation Council for Graduate Medical Education www.acgme.org
42. Famiglio LM. AAMC Teleconference on Medicare and ACGME Rules for Resident Supervision (2011, September 21). Retrieved from Geisinger Health System www.geisinger.org