Name of Policy: **Managing Staff Requests Not to Participate in** THE UNIVERSITY OF TOLEDO **Aspects of Patient Care MEDICAL CENTER Policy Number:** 3364-100-50-22 Hospital Administration **Department: Approving Officer:** Chief Executive Officer - UTMC **Responsible Agent:** Effective Date: July 1, 2020 Director, HRTD Operations The University of Toledo Medical Center Original Effective Date: July 15, 1996 Scope: New policy proposal Minor/technical revision of existing policy Major revision of existing policy X Reaffirmation of existing policy

(A) Policy Statement

The University of Toledo Medical Center ("UTMC") understands that situations may arise in which the prescribed care or course of treatment for a patient may be in conflict with the cultural values, ethics or religious beliefs of a staff member. An employee may request to be relieved from participating in an aspect of a patient's care or treatment in situations where the prescribed care or treatment presents a conflict with the employee's cultural values, ethics or religious beliefs. Patients should not be made aware that an employee has a conflict with the patient's treatments. UTMC will attempt to reasonably accommodate requests for exclusion from patient care or treatment resulting from such a conflict unless doing so would impose undue hardship or negatively affect patient care. Care and treatment will be provided to all persons in need without regard to disability, race, creed, color, gender, national origin, diagnosis, lifestyle, or ability to pay.

(B) Purpose of Policy

The purpose of this policy is to establish a mechanism by which an employee may request to be excused from participating in an aspect of a patient's care or treatment in situations where the prescribed care or treatment presents a conflict with an employee's cultural values, ethics or religious beliefs. Aspects of care that might conflict with an employee's cultural values, ethics or religious beliefs include withdrawal of life support treatment, termination of pregnancy, or participating in research studies.

(C) Procedure

- 1. When a prescribed course of care or treatment conflicts with an employee's cultural values, ethics or religious beliefs, the employee will immediately notify his/her supervisor or manager and request to be excluded from participating in the care or treatment. As permitted by the situation, the request must be submitted in writing as soon as reasonably possible. Requests must include the specific aspects of care from which the staff member is asking to be excused and the reasons for making the request.
- 2. The supervisor or manager will determine whether or not the request is justified and can be granted. Human Resources may be contacted to provide consultation as needed in making the decision. The House Supervisor should be contacted on off-shifts. If alternative staffing arrangements can be made and the request is granted, the supervisor or manager will reassign responsibilities amongst staff members to eliminate the conflict. Reasonable accommodations may include, but are not limited to, changing the employee's schedule, reassigning the patient to an equally competent employee with the appropriate skill level to adequately address the patient's needs, or transferring the requesting employee to another unit/department.
- 3. The requesting employee is responsible for providing appropriate patient care until alternate arrangements can be made. Refusal to provide such care will result in corrective action up to and including termination. In no circumstances will a request be granted if it is felt that doing so would negatively affect the care of the patient. Therefore, staffing limitations may make it impossible to grant a request.
- 4. Documentation of the employee request and the supervisor's determination and accommodations (if made) will be forwarded to the Human Resources Department.
- 5. An employee in a situation experiencing ongoing conflict of care issues should seek a transfer to a department or position where conflict of care issues are less likely to occur.

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Employment Procedures

During the pre-employment process, candidates will be informed about critical functions of the job(s) for which they are applying and the scope of service of the department(s) in which they have applied to work.

During orientation, the employee is informed that he or she may request to not participate in an aspect of care because of cultural values, ethics or religious beliefs.

Definitions

Participates in: An employee who "participates in" an aspect of care or a procedure covered under this policy is one who:

• is directly involved in the procedure; and in attendance at the time when, and in the room where, the procedure takes place; and without whose services the procedure itself could not be performed.

"Participates in" does not include the following:

- functioning in ancillary services, such as food preparation to serve the patient, or cleaning of the room used in a procedure;
- record keeping by clerical personnel, including such things as handling inquiries, admitting patients, securing patients' signatures on hospital documents, and explaining hospital procedures with respect to billing and insurance;
- performance of laboratory tests;
- providing any pre- and post-procedure care unless the care is specifically included within the definition of "participating
 in" as set forth above.

Approved by:		Review/Revision Date:	
· · ·		12/30/98	7/1/2020
		7/13/99	
<u>/s/</u>	07/01/2020	5/8/02	
Richard P. Swaine, CPA	Date	5/23/05	
Chief Executive Officer - UTMC		9/5/2008	
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