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| **Title: Graduate Medical Education Policy on Supplemental Benefits offered to Residents/Fellows** | **Effective Date:**  **July 1, 2022** |
| **Policy  Procedure  Guideline  Other:** | **Last Review/Revision Date:** |
| **Applies to:**  **Adults Only**  **Pediatrics Only (Under 18)**  **Both Adults & Pediatrics** |  |
| **Scope:  System**  **Site: Department: Academic Affairs** |  |

1. **PURPOSE**

To provide guidance for leaves of absence for all Advocate Aurora Health (AAH) residents and fellows within an AAH sponsored medical residency or fellowship.

1. **SCOPE**

This policy applies to all AAH employed residents and fellows.

1. **DEFINITIONS/ABBREVIATIONS**

**Child:** a biological, adopted or foster child, stepchild, legal ward or the child of a person having day-to-day care of the child “in loco parentis”, who is either under age 18, or age 18 or older, and is incapable of self-care because of mental or physical disability.

**Civil Union:** legal relationship between two people that provides legal protections and benefits under Illinois law.

**Disability or Disabled:** disability or disabled means that due to a non-work related Injury or Illness, which is supported by objective medical evidence, you require and are receiving from a Physician, regular, ongoing medical care and following the course of treatment recommended by the Physician; and you are unable to perform:

**during the first 24 months,** each of the material duties of your own occupation as a result of such Injury or Illness and which is not compensable under any state workers’ compensation law; and

**after the first 24 months,** the material duties of any occupation as a result of such Injury or Illness and which is not compensable under state workers’ compensation law

**Domestic Partner:** a person in a committed relationship between two adults, of the opposite sex or same sex, in which the partners:

(1) are each other’s sole domestic partner and intend to remain so indefinitely;

(2) maintain a common residence, and intend to continue to do so (or would maintain a common residence but for an assignment abroad or other employment-related, financial, or similar obstacle);

(3) are at least 18 years of age and mentally competent to consent to a contract;

(4) share responsibility for a significant measure of each other’s financial obligations;

(5) are not married or joined in a civil union to anyone else;

(6) are not a domestic partner of anyone else;

(7) are not related in a way that would prohibit legal marriage in the U.S. jurisdiction in which the partnership was formed;

(8) provide documentation demonstrating fulfillment of these requirements; and

(9) certify that they understand that willful falsification of the documentation required to establish that an individual is in a domestic partnership may lead to disciplinary action and the recovery of the cost of benefits received related to such falsification and may constitute a criminal violation under 18 U.S.C. § 1001.

**Medical Leave of Absence:** a leave of absence for a serious medical condition for self.

**Incapable of Self Care:** when an individual requires active assistance or supervision to provide daily self-care in three or more “activities of daily living” or “instrumental activities of daily living”, including adaptive activities such as caring appropriately for one’s grooming, hygiene, bathing, dressing, eating, or instrumental activities such as shopping taking public transportation, maintaining a residence, etc.

**Parental Leave of Absence:** a leave of absence to give parents (biological and adoptive mothers and fathers) additional flexibility and time for purposes of caring for or tending to the need related to the birth or the placement of a child within the team member’s home for an eligible adoption.

**Family Medical Leave Act (FMLA):** The federal FMLA generally entitles eligible workers to take unpaid leave for up to 12 weeks per year, without losing job security or health benefits, to care for a spouse, child or parent who has a serious health condition.

**Family Member:** an eligible team member’s child, legal guardian or ward, spouse under the laws of any state, domestic partner, parent, or spouse.

**Fellow:** a physician in an advanced graduate medical education fellowship program beyond a core residency program for physicians who are interested in more specialized practice.

**Parent:** a biological, adoptive, step or foster father or mother, or any other individual who stands *in loco parentis* to the child. This term does not include parents-in-law.

**Resident**: a physician in an accredited graduate medical education program, including interns, Residents, and Fellows.

**Serious Health Condition**: an illness, injury, impairment, or physical or mental condition that generally involves:

* + - * 1. inpatient care at a hospital, hospice or residential medical care facility;
        2. under FMLA, outpatient care that requires continuing treatment or supervision by a health care provider (generally defined as requiring two direct, continuous and first-hand contacts by a health care provider);
        3. under FMLA: a period of incapacity of more than three consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition) that also involves;

a. Treatment two or more times by or under the orders of a health care provider. The two visits must occur within 30 days of the first day of incapacity, with the first visit occurring within seven days of the first day of incapacity; or

b. Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of a health care provider. The first visit must take place within seven days of the first day of incapacity.

* + - * 1. Any period of incapacity due to pregnancy or for prenatal care.
        2. Chronic conditions requiring periodic treatment by or under the supervision of a health care provider which continue over an extended period of time and may cause an episodic rather than a continuing period of incapacity (i.e., asthma, diabetes, epilepsy, etc.) There must be at least two visits, for treatment, to the health care provider per year;
        3. Permanent/long term conditions requiring supervision for which treatment may not be effective (i.e., Alzheimer's, a severe stroke, or the terminal stages of a disease); or
        4. Multiple treatments by or under the supervision of a health care provider, either for restorative surgery after an accident or other injury or for a condition that would likely result in a period of incapacity of more than three calendar days in the absence of medical intervention or treatment, such as cancer chemotherapy), severe arthritis (physical therapy), or kidney disease (dialysis).

**Short-Term Disability:** provides continuing income benefits during a disability for up to 90 days.

**Sponsoring Institution**: the organization (or entity) that assumes the academic responsibility and ultimate authority and oversight for a program of graduate medical education.

**Spouse:** a husband or wife, as defined or recognized in the state where the team member was married; includes individuals in a common law marriage.

**Long-Term Disability:** provides continuing income benefits after being disabled for more than 90 days.

1. **POLICY**

**employed aah team member leaves of absence(s) policies & procedures:**

* AAH has medical, parental and family medical leave of absence policies and procedures in place for its employed team members. These leave of absence policies are available electronically on the Advocate Aurora Document System (AADS) under “AAH Leave of Absence (LOA)” and “AAH Parental Leave.”
* **Parental Leave** is available to eligible biological and adoptive parents. AAH pays 100% of this benefit. Eligible parents have the option of choosing: Two weeks of parental leave paid at 100% of their base pay or four weeks of parental leave paid at 50% of their base pay. Parental Leave may be used at any time during the six-month period immediately following the birth or adoption of a child.

In addition, AAH offers disability benefits to eligible team members. For details on the disability plans, refer to the AAH Disability Income Protection Plan on [www.aahbenefits.org](http://www.aahbenefits.org).

* + **Short-Term Disability (STD):** replaces a percentage of a team member’s income if unable to work due to pregnancy or a non-work-related illness or injury for up to 90 days. Disability payments begin following a 10-day elimination period (the period between when a disability begins and when STD payments begin). During the elimination period, PTO must be used if available. The Plan provides 60% income replacement for up to 90 days to eligible team members. Team members may use PTO or floating PTO to supplement disability income.
  + **Long–term Disability (LTD):** provides 50% income replacement up to $10,000/month maximum.

**Graduate Medical Education (GME) Suppemental benefits offered to rESIDENTS/fELLOWS within an aah sPONSORED medical residency or fellowship.**

* **Medical, Parental and Family Medical Leave of Absence Benefit for Residents/Fellows:** In addition to the AAH Leave of Absence Policies, Short-Term Disability, and Parental Leave, Residents and Fellows are eligible for six weeks of medical, parental, or family medical leave of absence (the “leave” or “leaves”), for qualifying events that are approved by the plan administrator and consistent with applicable laws, once every three years beginning or within an accredited training program. Personal leaves are administered under the AAH Leave of Absence Policy and the six-week leave of absence described above does not apply.
* The start of the three-year period will be based on the date of hire at which time benefits commence. . Subsequent three-year periods, if applicable, will commence the fourth and seventh year from that original employment date. The six weeks of the Supplemental Resident/Fellow Leave may be used consecutively or intermittently. This policy ends upon any transfer of programs and/or upon the graduation from a program.
  + Residents/Fellows will be provided with the equivalent of 100% percent of their base salary for the first six weeks of the approved Supplemental Resident/Fellow Leave(s). If the 6 weeks of paid approved Supplemental Resident/Fellow Leave also qualifies for FMLA, WI FMLA, STD and/or Parental, Family Medical Leave, these leaves/benefits will run concurrently.
  + Residents and Fellows are required to use up to ten (10) available Paid Time Off (PTO) days for the elimination period during an approved Supplemental Resident/Fellow Leave.
  + Residents and Fellows must still adhere to the provisions of the Advocate Aurora Health Leave of Absence Policies, Short-Term Disability and Parental, Family Medical Leave, where applicable.
  + Each training program will provide its Residents/Fellows with accurate information regarding the impact of an extended leave based upon the criteria for satisfactory completion of the Program and eligibility to participate in examinations by the certifying Board(s).

**V. PROCEDURE FOR USE OF GME SUPPLEMENTAL RESIDENT/FELLOW leave offered to Residents/Fellows within aN aah sPONSORED medical residency or fellowship**

* 1. **GENERAL INFORMATION**

1. The Supplemental Resident/Fellow Leave is administered by a plan administrator: The Hartford (for WI/legacy Aurora Health Care team members) and MetLife (for IL/legacy Advocate Health Care team members).

The claims administrator may request additional information from you and/or your medical provider. Failure to provide the necessary information may result in denial of the Supplemental Resident/Fellow Leave and/or disability.

All communication during this process will be sent via USPS and electronically via AAH email to the resident/fellow.

If a resident does not qualify for FMLA to care for a family member, then the manager of record will request the leave through WorkDay and the leave will then be administered by the HR Shared Services Leave Management Team.

Though any period of absence may potentially qualify for FMLA leave, a resident/fellow who will be out of work for more than three days must apply for leave of absence status after an initial discussion with their manager.

* + - * 1. Residents and fellows will be provided with the equivalent of 100 percent of their base pay for the first six weeks of the first approved Supplemental Resident/Fellow Leave(s) of absence.
        2. If a resident/fellow is absent from work for more than 3 consecutively scheduled workdays and their absence is due to a non-work-related injury or illness, the Resident/Fellow must contact the plan administrator to apply for STD. Residents/Fellows should review the AAH Disability Income Protection Plan on [www.aahbenefits.org](http://www.aahbenefits.org) for more information.

STD benefits cannot begin until after the elimination period, which is the time a resident/fellow is absent from work for at least 10 consecutive calendar days. Residents/Fellows are required to use their PTO during the elimination period.

After the elimination period, the resident/fellow will receive 100% of their pay for the remainder of the Supplemental Resident/Fellow Leave, up to 6 weeks total. If the resident/fellow is still eligible for disability benefits after the 6 weeks of the Supplemental Resident/Fellow Leave has been exhausted, the resident/fellow will continue to receive STD benefits at 60% income replacement until they are no longer eligible for STD, qualify for Long-Term Disability (LTD), or until the resident/fellow has been out of work for a total of 12 weeks, whichever is earlier.

* + - * 1. There will be a continuation of health and disability insurance benefits for residents/fellows and their eligible dependents during approved Supplemental Resident/Fellow Leave(s). Residents/Fellows are required to pay the applicable insurance premiums for these benefits. Failure to pay premiums within 30 days will result in loss of coverage. Premiums will continue to be deducted from the Resident’s/Fellow’s paycheck if there are sufficient funds.

1. **CROSS REFERENCES**

* Graduate Medical Education Policy on Paid Time Off Advocate Aurora Health Leave of Absence Policies
* Advocate Aurora Health Parental Leave Policy
* Advocate Aurora Health Disability Income Protection Plan

1. **RESOURCES AND REFERENCES**

ACGME Institutional Requirements [www.acgme.org](http://www.acgme.org)

(Section IV. H.1.a) – g)

AOA Basic Documents for Postdoctoral Training [www.osteopathic.org](http://www.osteopathic.org)

(Section C, 7.1, a-d)

CPME Council on Podiatric Medical Education [www.cpme.org](http://www.cpme.org)

(Section 3.9, e & g)

1. **APPENDICES**

IV.G. Health and Disability Insurance

IV.G.1. The Sponsoring Institution must ensure that residents/fellows are

provided with health insurance benefits for residents/fellows and their

eligible dependents beginning on the first day of insurance eligibility. (Core)

IV.G.1.a) If the first day of health insurance eligibility is not the first day that

residents/fellows are required to report, then the residents/fellows

must be given advanced access to information regarding interim

coverage so that they can purchase coverage if desired. (Core)

IV.G.2. The Sponsoring Institution must ensure that residents/fellows are

provided with disability insurance benefits for residents/fellows beginning

on the first day of disability insurance eligibility. (Core)

IV.G.2.a) If the first day of disability insurance eligibility is not the first day

that residents/fellows are required to report, then the

residents/fellows must be given advanced access to information

regarding interim coverage so that they can purchase coverage if

desired. (Core)

**IV.H. Vacation and Leaves of Absence**

IV.H.1. The Sponsoring Institution must have a policy for vacation and leaves of

absence, consistent with applicable laws. This policy must: (Core)

IV.H.1.a) provide residents/fellows with a minimum of six weeks of

approved medical, parental, and caregiver leave(s) of absence for

qualifying reasons that are consistent with applicable laws at least

once and at any time during an ACGME-accredited program,

starting the day, the resident/fellow is required to report; (Core)

IV.H.1.b) provide residents/fellows with at least the equivalent of 100

percent of their salary for the first six weeks of the first approved

medical, parental, or caregiver leave(s) of absence taken; (Core)

IV.H.1.c) provide residents/fellows with a minimum of one week of paid time

off reserved for use outside of the first six weeks of the first

approved medical, parental, or caregiver leave(s) of absence

taken; (Core)

IV.H.1.d) ensure the continuation of health and disability insurance benefits

for residents/fellows and their eligible dependents during any

approved medical, parental, or caregiver leave(s) of absence; (Core)

IV.H.1.e) describe the process for submitting and approving requests for

leaves of absence; (Core)

IV.H.1.f) be available for review by residents/fellows at all times; and, (Core)

IV.H.1.g) ensure that each of its ACGME-accredited programs provides its

residents/fellows with accurate information regarding the impact of

an extended leave of absence upon the criteria for satisfactory

completion of the program and upon a resident’s/fellow’s eligibility

to participate in examinations by the relevant certifying board(s).