
I. Introduction

The University is committed to maintaining a safe and productive academic and clinical environment, and it therefore requires that every Student report to class/clinic fit to perform his or her academic duties. For purpose of this policy, “fitness for practice” (or “FFP”) refers to the readiness of a Student to perform the essential academic functions and professional responsibilities, as well as reasonable suspicion drug/alcohol testing.

II. Student Responsibilities

All Students are required to report to class/clinic fit for practice and to be able to perform their educational duties in a safe, professional, and effective manner.

The University encourages Students to voluntarily seek assistance for emotional and/or personal problems, physical and/or mental health conditions, including controlled substance, drug and alcohol abuse/addictions, before their academic performance or patient safety is adversely affected.

III. Fitness for Practice Examinations**A. Introduction**

A fitness for practice examination constitutes a medical examination and therefore, in keeping with the Americans with Disabilities Act and University policy, any such examination is strictly limited to academic- and clinical-related inquiries and must be consistent with business/academic necessity. Any such inquiry must be made with reference to the actual academic duties of the individual who is to be examined. Any decision with respect to fitness must be made with consideration of whether the Student can perform the academic and clinical duties with restrictions. When the identified condition constitutes a disability and the Student asks for an accommodation, which might be the restriction, the Student should be informed of the disability and accommodation determination process and that process should be implemented through SASSI. It may be necessary to collect additional documentation from the Student and his/her own healthcare provider to support the interactive accommodation review process or there may already be sufficient documentation to support that request.

B. Grounds for Seeking a Fitness for Practice Examination

The referring Course Director, faculty, or other appropriate administrator may request a medical fitness for practice evaluation when (1) a Student’s conduct creates a reasonable belief that a threat to the health or safety of the Student or others, or to University property, exists; or (2) there is objective evidence that the Student cannot perform the essential academic functions. Course Directors

should consult, if practical, with UHS/UTHSC Counseling Services and/or the Associate Dean of Students of the respective College, as well as Office of the General Counsel, prior to making a referral for an examination.

The grounds for seeking a fitness for practice evaluation may become evident from a faculty member's observations and/or receipt of a reliable report of a Student's possible lack of fitness for practice. Observations or a Student's self-report may include, but are not limited to difficulties with manual dexterity, memory, coordination, alertness, speech, vision acuity, concentration, response to criticism, interactions with patients, co-workers and supervisors, outbursts, hostility, violent behavior, suicidal or threatening statements, change in personal hygiene, and/or reasonable suspicion (via odor or observation) of drug or alcohol use.

The Course Director/faculty MUST fill out Exhibit A (or its functional equivalent), the *Reasonable Suspicion Drug/Alcohol Testing Checklist* contemporaneously with the referral for a drug test. Submit the completed Checklist to UTHSC Counseling Services.

A Student's medical fitness may also be evaluated in other contexts, including as a result of any required medical screen, random test, or as required after a leave of absence or return from leave of absence.

C. Medical Evaluation

Fitness for practice evaluations are performed by or at the direction of the College in consultation with UTHSC Counseling Services, and may include, without limitation, a health history, physical and/or psychological examination, alcohol and drug testing and any medically indicated diagnostic studies. The purpose of the evaluation is to determine if the Student can perform the essential functions in a safe manner and if there is a need for restrictions. As circumstances warrant, UTHSC Counseling Services, the CARE Team, and the reporting College will work collaboratively to arrange for an evaluation by a UHS or UTHSC counselor, or other qualified clinician to determine whether there is a psychological or other impairment. In addition, if it appears that the condition is a disability, the Student will be referred to SASSI disability services to address any requested accommodations/modifications and whether there is a likelihood that the Student can perform the academic duties with or without reasonable accommodations. Any determination of reasonable accommodations is also subject to the rules and requirements of the clinical site.

D. Confidentiality

Patient information obtained is maintained on a confidential basis in accordance with applicable law. When conducting a mandated fitness for practice

evaluation, the College, CARE Team, or UTHSC Counseling Services will require the Student to sign an *Authorization to Release Information* (Attachment "B") that permits reporting by the examining provider as to the Student's treatment, fitness, recommendations with respect to fitness, and any limitations and restrictions placed on the Student arising from the Student's health condition.

There is no confidential relationship between the examining provider and the Student. The CARE Team and UTHSC Counseling Services will act to safeguard medical or psychological information of the Student and will not release that information without the consent of the Student, except as necessary in the judgment of CARE Team and UTHSC Counseling Services or as may be required by law.

IV. Fitness for Practice Procedures

- The Course Director/faculty will discuss the identified issues with the Associate Dean of the college.
- If it is agreed that a fit for practice evaluation is needed, **the Course Director/faculty or other appropriate administrator MUST fill out Exhibit A (or its functional equivalent), the Reasonable Suspicion Drug/Alcohol Testing Checklist contemporaneously with the referral for a drug test.** Submit the completed Checklist to the CARE Navigator or other designated official in UTHSC Counseling Services.
- The Student will be placed on administrative leave until the evaluation is complete
- During business hours, the fit for practice evaluation will be conducted at University Health Services or an approved provider. For afterhours care the evaluation will be done by a nearby approved medical facility.
 - **This is a not a confidential session between the Student and a counselor/physician or other individuals involved in the evaluation or case management,** in that this is considered an academic referral and therefore, will not be subject to the same privacy rules as occurs in a therapeutic relationship.
 - A report shall be generated by the evaluator to inform the Course Director and Associate Dean if a Student is fit to return to practice.
- The Student must be 'walked' by a faculty member or other appropriate administrator to UHS for testing. At no time should a Student be left alone once it is determined that a Reasonable Suspicion test is indicated. If the Student is in a location not adjacent to UHS, the Student must be transported by campus police or University contracted carrier other appropriate administrator as designated by the College.

- If the evaluator determines that the Student is fit to return to practice they will notify the CARE Navigator in writing who will notify the College and Student.
 - If the evaluator determines that the Student is not fit to return to practice they will notify the CARE Navigator in writing (email), who in turn will notify the College, Student, and the Associate Vice Chancellor of Student Affairs.
 - Once the written report is received the College will determine the status of the Student.
 - This could result in administrative withdrawal or referral to an appropriate disciplinary and/or academic body for action up to and including termination.
 - In order for reinstatement into a program, a fit for practice report must be submitted to the College.
 - A Student who refuses to undergo a fit for practice evaluation (as well as a drug or alcohol test) will be referred for disciplinary action for immediate dismissal.
 - Cost of the Evaluation
 - All costs for the evaluation done at University Health Services will be paid by the College.
 - All costs for aftercare and/or treatment recommendations are the personal responsibility of the Student.
 - A Student that tests positive for alcohol or controlled substance shall be subject to immediate termination as per the Policy.
 - At all times, patient safety is paramount and nothing in these procedures or policy shall prevent the University from requiring Students at all times to meet the essential eligibility requirements and technical standards. The University is the final decision maker as to the reasonableness of an accommodation and is not required to make changes to the underlying fundamental academic program.
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