

PARK PLACE BEHAVIORAL HEALTH CARE

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INTERNSHIP DUE PROCESS GUIDELINES

This document provides the intern and staff I) a definition of problematic behavior and inadequate performance II) a listing of possible sanctions III) due process procedures for the intern and staff IV) intern's rights and V) the grievance procedure for the intern. Also included are important considerations in the remediation/resolution of problems.

I. Definition of Problematic Behaviors and Inadequate Performance:

Problematic behavior is defined broadly as an interference in professional functioning which is reflected in one or more of the following ways: 1) an inability and/or unwillingness to acquire and integrate professional standards into one's repertoire of professional behavior 2) an inability to acquire professional skills in order to reach an acceptable level of competency; and/or 3) an inability to control personal stress, strong emotional reactions, and/or psychological dysfunction which interfere with professional functioning.

It is a professional judgment as to when an intern's behavior becomes problematic rather than of concern. Interns may exhibit behaviors, attitudes or characteristics which, while of concern and requiring remediation, are not unexpected or excessive for professionals in training. Problems typically become identified when they include one or more of the following characteristics:

1. the intern does not acknowledge, understand, or address the problem when it is identified
2. the problem is not merely a reflection of a skill deficit which can be rectified by academic or didactic training
3. the quality of services delivered by the intern is sufficiently negatively affected
4. the problem is not restricted to one area of professional functioning
5. a disproportionate amount of attention by training personnel is required and/or
6. the intern's behavior does not change as a function of feedback, remediation efforts, and/or time.

II. Remediation and Sanction Alternatives

It is important to have meaningful ways to address problematic behavior once it has been identified. In implementing remediation or sanction interventions,

the training staff must be mindful and balance the needs of the intern, the clients, and the agency personnel that are involved or affected.

The following are alternatives to address problematic behaviors:

1. *Verbal warning*- this can be given to the intern to communicate what the problem behavior is, why it is problematic and/or inappropriate with an emphasis on a need to discontinue the behavior. While this is not a formal written acknowledgement, it is documented in the supervision note for that intern that the issues were discussed and a verbal warning was given. The intern reviews and signs all supervision notes.
2. *Written Acknowledgement*- given to the intern to formally acknowledge that:
 - a) the Training Director is aware of, and concerned with, the performance rating
 - b) that the concern has been brought to the attention of the intern
 - c) that both the Training Director and the Internship Supervisor, who are both doctoral level licensed clinical psychologists, will work with the intern to rectify the problem or skills deficit
 - d) that, while the behaviors are problematic and in need of remediation, they are not significant enough to warrant more serious action

The written acknowledgement will be removed from the intern's file when the intern responds to the concerns and successfully completes the internship.

3. *Written Warning*- to the intern to improve performance or discontinue an inappropriate or problematic behavior. The letter will contain:
 - a) a description of the intern's unsatisfactory performance
 - b) actions needed by the intern to correct the unsatisfactory behavior
 - c) the time line for correcting the problem
 - d) what action will be taken if the problem is not corrected and
 - e) notification that the intern has the right to request a review of this action.

A copy of this letter will be kept in the intern's file. Consideration may be given to removing the letter at the end of internship by the Training Director in consultation with the Clinical Internship Supervisor(s) and the Human Resources Director. If the letter remains in the file, documentation should contain the position statements of the intern and any other parties involved in the dispute.

4. *Schedule Modification*- is a time limited, remediation-oriented closely supervised period of training designed to return the intern to a more fully functioning state. Modifying an intern's schedule is an accommodation made to assist the intern in responding to personal reactions to stressors, with the full expectation that the intern will complete the internship. This period will involve more closely scrutinized supervision conducted by the

regular supervisor in conjunction with the Training Director. Several possible, and perhaps concurrent courses of action, are possible. These include:

- a) Increasing the amount of supervision, either with the same or another supervisor
- b) Change the format and focus of supervision to accommodate for the current intern needs
- c) Recommending personal psychotherapy (a list of community practitioners will be provided to the intern)
- d) Reducing the intern's work load
- e) Requiring specific academic coursework

The length of the schedule modification will be determined by the Training Director in consultation with the Clinical Internship Supervisor and the Director. After discussion with the intern, the termination of the schedule modification will be determined by the Training Director in consultation with the Clinical Internship Supervisor. At this time a letter will be sent to the intern's Training Director at their graduate school to notify the university of the intern's status and issuance of a written warning. A copy of the written warning will also be sent.

7. *Probation-* is also a time limited, remediation oriented, more closely supervised training period. Its purpose is to assess the ability of the intern to complete the internship and to return the intern to a more fully functioning state. Probation defines a relationship that the Training Director systematically monitors for a specific length of time the degree to which the intern addresses and improves the behavior associated with the inadequate rating. The intern is informed of the probation in a written statement that includes:
 - b) the specific behaviors associated with the unacceptable rating
 - c) the recommendation for rectifying the problem
 - d) the time frame of the probation, during which the problem is expected to be resolved and/or performance to be at an acceptable level
 - e) the procedures to determine whether the problem has been appropriately rectified

If the Training Director determines that there has not been sufficient improvement or resolution of the problematic behavior to remove the intern from probation or a modified schedule, then the Training Director will discuss with the Clinical Internship Supervisor and the Director possible courses of action to be taken. The Training Director will communicate in writing to the intern that the conditions for revoking the probation or schedule modification have not been satisfied, along with communicating the next course of action that will be implemented. These

may include continuation of remediation efforts for a specified time period or implementing another alternative. Additionally, the Training Director will communicate to the Director and the Training Director of the intern's university graduate program that if the intern's behavior does not change, or performance does not improve, the intern will not successfully complete the internship.

8. *Suspension of Direct Services*- requires that the welfare of the intern's client, consultantee, or supervisee has been jeopardized. Therefore, direct service activities will be suspended for a specified period as determined by the Training Director in consultation with the Clinical Internship Supervisor, Director and Human Resources Director. At the end of the suspension, the Training Director in consultation with the Clinical Internship Supervisor will assess the intern's capacity for effective functioning and determine when direct services can resume.

9. *Administrative Leave*- involves the temporary withdrawal of all of the intern's responsibilities and privileges in the agency. If the Probation Period, Suspension of Direct Services or Administrative Leave interferes with the successful completion of the training hours needed for completion of the internship, this will be noted in the intern's file and the Training Director of the intern's university graduate program will be notified. The Training Director and Human Resources Director will also inform the intern of the effects the administrative leave will have on the intern's stipend and accrual of benefits.

10. *Dismissal from the Internship*- involves the permanent withdrawal of the intern's responsibilities and privileges. When specific interventions do not, after a reasonable period of time, rectify the problem behavior or concerns and the intern seems unable or unwilling to alter his/her behavior, the Training Director will discuss with the Director and Human Resources Director the possibility of termination from the internship training program or dismissal from the agency. Either administrative leave or dismissal from the program would be invoked in cases of severe ethical violations of the APA Ethical Code, or when imminent physical or psychological harm to a client is a major factor, or the intern is not able to complete the internship due to physical, cognitive/mental or emotional issues/illness. When an intern is dismissed from the program, the Training Director will notify the Training Director of the intern's university graduate program of the intern's dismissal and failure to complete the internship program successfully.

III. Procedures for Responding to Inadequate Performance by an Intern

If an intern receives an “unacceptable rating” from any of the evaluation sources in any of the major categories of the evaluation, or if a staff member or client (who has the right to file a written grievance) has a concern about an intern’s behavior (ethical or legal violations, professional competence) the following procedures will be initiated:

1. The staff member will consult with the Training Director to determine if there is a reason to proceed and/or if the behavior in question is being rectified.
2. If the staff member who brings the concern to the Training Director is not the Clinical Internship Supervisor, then the Training Director will discuss the concern with the Clinical Internship Supervisor.
3. If the Training Director and the Clinical Internship Supervisor determine that the alleged behavior in the complaint, if proven, would constitute a serious violation, the Training Director will inform the staff member who initially brought the complaint.
4. The Training Director will meet with the Internship Supervisors to discuss the performance rating of concern.
5. The Training Director and Clinical Internship Supervisor will discuss possible courses of action.
6. Whenever a decision has been made by the Training Director and Clinical Internship Supervisor about an intern’s training program or status within the agency, this will be communicated to the Human Resources Director. The Training Director will inform the intern in writing and will meet with the intern to review the decision. This meeting will include the Clinical Internship Supervisor. If the intern accepts the decision, any formal action taken by the Training Program may be communicated in writing to the intern’s academic program. This notification indicates the nature of the concern and the specific alternatives implemented to address the concerns.
7. The intern may choose to accept the conditions or choose to challenge the request. The procedures for challenging the action are presented below:

Due Process-General Guidelines

Due process ensures that decisions about interns are not arbitrary or personally based. It requires the Training Program to identify specific evaluative procedures which are applied to all trainees, and provide appropriate appeal procedures available to the intern. All steps need to be appropriately documented and implemented. General due process guidelines include:

1. During the orientation period, presenting the interns, in writing, the program’s expectations related to professional functioning. Discussing these expectations in both group and individual settings.

2. Stipulating the procedures for evaluation, including when and how evaluations will be conducted.
3. Articulating the various procedures and actions involved in making decisions regarding problem behaviors or concerns.
4. Communicating, early and often, with graduate programs about any suspected difficulties with interns and when necessary, seeking input from these academic programs about how to address such difficulties.
5. Instituting, when appropriate, a remediation plan for identified problems or inadequacies, including a time frame for expected remediation and consequences for not rectifying inadequacies or problems.
6. Providing a written procedure to the intern which describes how the intern may appeal the program's actions. This is included below and the intern signs receipt of these guidelines when given to the intern and discussed during orientation.
7. Ensuring that the intern has sufficient time to respond to any action taken by the program.
8. Using input from multiple professional sources when making recommendations or decisions regarding the intern's performance.
9. Documenting, in writing and to all relevant parties, the actions taken by the program and its rationale.

IV. Intern Rights & Right to Appeal

1. The right to a clear statement of general rights and responsibilities upon entry into the internship, including a clear statement of goals and parameters of the training experience.
2. The right to be trained by professionals in accordance with the APA ethical guidelines.
3. The right to be treated with professional respect, that recognizes the training and experience the intern brings with him/her.
4. The right to ongoing evaluation that is specific, respectful and pertinent.
5. The right to engage in an ongoing evaluation of the training program and offer feedback.
6. The right to initiate an informal resolution and/or grievance related to problems that might arise in the training experience (as outlined below).
7. The right to appeal decisions or recommendations through a review process and panel (as outlined below).

V. Due Process: Procedures

The basic meaning of due process is to inform and to provide a framework to respond, act or dispute. It is also to establish a procedure for addressing a grievance regarding a disagreement over quality or any problems which negatively impact the internship learning experience.

A. Intern Grievance Procedure

1. In the event that an intern encounters any difficulties or problems (ie: poor supervision, unavailability of supervisor, evaluations perceived as unfair, workload issues, or staff conflicts) during his/her training experiences or within any program, an intern can:

Level I: Discuss the issue with the staff member involved or immediate supervisor. If a resolution is achieved, the grievance process ends. The immediate supervisor involved is to verbally notify his/her supervisor of the issue and its resolution. If the immediate supervisor is the Clinical Internship Supervisor, then the Training Director shall be notified. The Corporate Compliance Officer will serve as an advocate to provide assistance with the grievance process as deemed necessary by the intern and/or agency.

Level II: If the intern is unable to resolve the problem with the immediate supervisor he/she is to be instructed to ask for a meeting with the staff member and staff member's supervisor (and/or, in the supervisor's absence the Program Director, Training Director, or his/her delegate). A meeting with the concerned person, the staff member and the supervisor is to be scheduled within three (3) business days from the day of the intern's request. If the intern or staff member is absent from work, then the meeting is to be scheduled on that person's first day returning to work. If a resolution is achieved, the grievance process ends. The supervisor is to verbally notify the Program or Training Director of its resolution.

Level III: If a resolution is not achieved, the concerned intern is to be given a copy of this procedure again (the intern will have received a copy of this during orientation) along with a Grievance Form to complete. The supervisor is to verbally notify the Program and/or Training Director of the formal grievance. After receiving the written complaint, the Program and/or Training Director has three (3) working days to complete an investigation and attempt a resolution. If a resolution is achieved, the grievance process ends. The Program and/or Training Director will complete the Grievance Record and Resolution Form and forward the Grievance Form to the Performance Improvement Director.

Level IV: If a resolution is not achieved, the Grievance Form, all paperwork to be used to investigate the grievance, and the Grievance Review and Resolution Form are to be forwarded to the President/CEO. The President/CEO has five (5)

working days to review all of the documentation regarding the grievance and resolution attempts and to complete a written response. The concerned intern will receive written notification of the response/resolution of the grievance from the President/CEO. The response by the President/CEO is the final level of the grievance process. The Risk Manager and the Performance Improvement Department should receive a copy of the grievance and all associated documentation for review to ensure all rights and responsibilities of the persons served and the Agency have been upheld. After review of all documentation, the complaint and resolution will be logged onto a database spreadsheet where on an annual basis the data will be reviewed for trends, area for performance improvement, and actions to be taken.

B. Staff Grievance Procedure

If a training staff member has a specific concern about an intern, the staff member should:

1. Discuss the issue with the intern involved.
2. Consult with the Training Director.
3. If the issue is not resolved informally, the staff member may seek resolution of the concern by written request, will all supporting documentation, to the Training Director for review of the situation.

C. Review Panel Process & Appeal

When needed, the Director, with recommendations from the intern and Training Director, may request a review panel of three staff members to convene. The intern has the right to hear all facts with the opportunity to dispute or explain the behavior of concern.

1. Within five (5) working days, a hearing will be conducted in which the intern's challenge is heard and relevant material presented. Within three (3) work days of the completion of the review, the Review Panel submits a written report to the Director, including any recommendations for further action. Recommendations made by the Review Panel will be made by majority vote.
2. Within three (3) work days of receipt of the recommendation, the Director will either accept or reject the Review Panel's recommendations. If it is rejected, the Director may refer the matter back to the Review Panel for further deliberation and revised recommendations.
3. If referred back to the panel, they will report back to the Director within five (5) work days of receipt of the Director's request for further deliberation. The Director then makes the final decision regarding what action is to be taken.

4. The Training Director informs the intern, staff members involved, and if necessary the training staff, of the decision and any action to be taken.
5. If the intern disputes the Director's final decision, the intern has the right to contact the Human Resources Department to discuss the situation.

By signing below, I acknowledge that as a current intern at Park Place Behavioral Health Care, I received a copy of the Internship Due Process Guidelines, the PPBHC Internship Training Brochure, and the Intern Appeal Policy and Procedure.

INTERN PRINTED NAME

INTERN SIGNATURE DATE

WITNESS DATE