KEY TENETS OF NRMP POLICY:
Expectations for Match-Participating Programs

ARCS 2009 Meeting

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FOCUS OF PRESENTATION

• Pop Quiz
• Key Tenets of the Match Participation Agreement
  ▪ Applicant Selection
  ▪ Communication
  ▪ Binding Match Commitment
• Promoting Compliance with NRMP Policy
Matching Services

Main Residency Match: 2009 biggest on record!
- Nearly 37,000 applicants
  - Over 16,000 U.S. seniors (most ever)
- Over 25,000 PGY-1 and PGY-2 positions
  - Over 24,000 matches made in 2009

Specialties Matching Service:
- More than 20 fellowship matches
  - 7 Pediatric fellowships
- More than 30 subspecialties
POP QUIZ

Sponsored Applicants in the Match include seniors of U.S. allopathic and osteopathic medical schools.

*False.* **Sponsored Applicants include only seniors of U.S. allopathic medical schools.**

Independent Applicants include foreign medical graduates, former graduates of U.S. allopathic schools, current/former Canadian students, and current/former Osteopathic students.

*True.* **Independent Applicants include all applicants except seniors of U.S. allopathic medical schools.**

School officials can withdraw U.S. seniors from the Match to accept a position outside the Match.

*False.* **Sponsored Applicants must obtain a residency position through a matching program.**
**POP QUIZ-CONT’D**

Independent Applicants may withdraw from the Match to accept a position outside the Match.

*True. Independent Applicants are not required to use the Match to obtain a residency position.*

Programs that do not participate in the Match may recruit any applicants outside the Match.

*False. No program, regardless of Match-participation status, can recruit Sponsored Applicants outside the Match.*
NRMP Agreement

NRMP Main Residency Match

Upon completion of reading the following Terms and Conditions of Match Participation, you will be provided an opportunity to signify your acceptance of them by (1) entering your NRMP Password and (2) clicking on a button labeled "I Accept" at the bottom of the page. By agreeing to these Terms and Conditions you are entering into a binding agreement to conduct your affairs related to the Match consistent with these policies. If you do not wish to accept, click the button labeled "Cancel" at the bottom of the page to leave the registration area.

Terms and Conditions of the Match Participation Agreement between Applicants, the NRMP and Participating Programs

10.0 General

If any provision of this Agreement is found in any arbitration proceeding or by any court of competent jurisdiction to be invalid, illegal, or unenforceable, that provision shall be modified to the minimum extent necessary to achieve the purpose originally intended, if possible, and the validity, legality, and enforceability of the remaining provisions will not be affected or impaired and are to be enforced to the maximum extent permitted by applicable law. If any remedy set forth in this Agreement is determined to have failed of its essential purpose, then all other provisions of this Agreement will remain in full force and effect.

Failure of any party to act or exercise its rights under this Agreement upon the breach of any other terms hereof by any other party, is not to be construed as a waiver of such a breach or prevent such party from later enforcing compliance with any or all of the terms hereof. This Agreement contains the entire agreement between the parties with respect to the Matching Program and its results. Any representations, promises, or conditions not incorporated in this Agreement will not be binding upon any of the parties. No modification of this Agreement shall be effective unless in writing and executed by the party against whom it is to be enforced.

By entering your password and clicking I Accept, you agree that you have read and understood and agree to the Terms and Conditions of the Match Participation Agreement.
RULES OF ENGAGEMENT-PROGRAMS

Section 3.1 of the Match Participation Agreement (MPA) reads:

“…programs participating in the Matching Program agree to select senior students of U.S. allopathic medical schools only through the Matching Program…”

Section 1.0 of the MPA reads:

“…Positions may be offered to physician graduates of medical schools in the U.S. and elsewhere who meet the eligibility requirements set forth by the NRMP…”
Section 2.2.4 of the MPA for Institutions reads:

“…Ensuring that prior to the release of the results of the Matching Program, all of the programs sponsored by the institution, regardless of Matching Program participation status, offer positions to U.S. allopathic senior students only through the Matching Program or another national matching plan… including a preliminary position for a program that participates in another national matching plan…”
Dr. Lucy Ricardo, Dean of Tufts University School of Medicine, contacted the NRMP to state that her senior students had received a recruitment notification from a newly-accredited General Surgery program. Dr. Ricardo was confused because she did not believe NRMP policy allowed for recruitment of U.S. allopathic seniors outside the Match. The NRMP contacted the Surgery program to inquire about its notification. The program director, Dr. Ethel Murtz, informed the NRMP that ACGME accreditation came too late for her program to participate in the Match, and she was trying to build her residency base for July 1 appointment. The NRMP informed her that her actions violated NRMP policy and initiated an investigation of the program and the institution.
Section 3.1 of the MPA reads:

…Sponsoring institutions that register any program in the Matching Program agree to select senior students of U.S. allopathic medical schools for all their programs only through the Matching Program or another national matching plan. In addition, programs participating in the Matching Program agree to select senior students of U.S. allopathic medical schools only through the Matching Program…”

U.S. allopathic seniors cannot be offered a position outside the Match. One caveat…
Section 2.4.1 of the MPA reads:

“…If a senior student is withdrawn from the Matching Program because he/she will be ineligible to enter graduate medical education on July 1 in the year of the Match, (a) the student may seek a position outside the Matching Program no earlier than 12:00 noon eastern time on Tuesday of Match Week, and (b) the student may accept a position outside the Matching Program only if that training will begin between July 1 and February 1 in the year immediately following the Match…if the student elects to participate in the Match the following year, he/she will be a sponsored applicant…”
Dr. Ben Hur, director of the General Surgery program at National Medical Center, wished to offer Jack Sparrow a position in his program. Mr. Sparrow was expected to graduate in November 2009, and Dr. Hur had a PGY-1 candidate who unexpectedly had resigned. Dr. Hur wished to offer the open position to Mr. Sparrow with a January 1, 2010 start date.
APPLICANT SELECTION: A TIMELINE

• September 1-February 25: Consider U.S. seniors and independent applicants for Match positions

• February 26: Consider non-Match-participating independent applicants for non-Match positions

• March 17: Consider unmatched and/or off-cycle U.S. seniors for positions

At all phases, ensure applicant eligibility for appointment prior to interview!
Section 6.0: Restrictions on Persuasion

“One of the purposes of the Matching Program is to allow both applicants and programs to make selection decisions on a uniform schedule and without coercion or undue or unwarranted pressure. Both applicants and programs may express their interest in each other; however, they shall not solicit verbal or written statements implying a commitment. It is a breach of the applicable Match Participation Agreement for either party to suggest or inform the other that placement on a rank order list is contingent upon submission of a verbal or written statement indicating ranking intentions. In addition, it is a breach of the Match Participation Agreement for a program and applicant in the Matching Program to make any verbal or written contract for appointment to a concurrent year residency or fellowship position prior to the Matching Program.”
COMMUNICATIONS EXAMPLE #1

In the 2009 Main Residency Match, Dr. John Doe interviewed with the General Surgery program at American Medical Center. Dr. Doe was unsure how to respond when asked by the program where else he planned to interview and if he planned to rank the program at National Medical Center as his top choice for residency.

Section 6.0 of the MPA reads:

*Applicants and programs shall not solicit verbal or written statements implying a commitment…No coercion, no undue or unwarranted pressure.*
COMMUNICATIONS EXAMPLE #2

In the 2009 Main Residency Match, Dr. Holly Golightly interviewed with the General Surgery program at Worldwide Medical. She was encouraged at the end of her interview to send the program director a note indicating her level of interest so that the director would know how or whether to rank her.

Section 6.0 of the MPA reads:

*Applicants and Programs shall not suggest or inform the other that placement on a rank order list is contingent upon submission of a verbal or written statement indicating ranking intentions.*
COMMUNICATIONS EXAMPLE #3

In the 2009 Main Residency Match, Dr. Christopher Robin interviewed with the General Surgery program at Trans-Global Health System. It was his top choice for residency, so he agreed to sign a letter of commitment for the program director, indicating his plan to rank the program number one on his list.

Section 6.0 of the MPA reads:

*Applicants and Programs shall not make any verbal or written contract for appointment to a concurrent year residency or fellowship position prior to the Matching Program.*
COMMUNICATIONS – CONT’D

Programs should **not**:

• Press for applicants’ level of interest in the program
• Probe applicants’ consideration of other programs
• Enter into letters of agreement or contracts that would contradict with a match appointment

Programs should **avoid**:

• Unnecessary post-interview correspondence (e.g., follow up letters to or from applicants)
THE MATCH COMMITMENT

Section 5.1 of the MPA reads:

“The listing of an applicant by a program on its certified rank order list or of a program by an applicant on the applicant's certified rank order list establishes a binding commitment to offer or to accept an appointment if a match results.

Failure to honor this commitment by either party participating in a match will be a breach of this Agreement and may result in penalties to the breaching program or applicant……..”
MATCH WAIVERS

Programs:
• Loss of funding
• Loss of accreditation
• Hardship

Applicants:
• Hardship
• Change of specialty: must be requested by January 15
• Completion of residency postponed

Waivers must be requested from, and can be granted only by, the NRMP.
After the 2009 Main Residency Match, the General Surgery program at the American Hospital wrote to the NRMP and requested a waiver of its match commitment to Dr. Scarlett O’Hara. The program director had learned that Dr. O’Hara had not passed the USMLE Step 2 CK exam, and passage of that exam was a requirement of the program. The NRMP initiated a waiver review and learned that the program had not informed Dr. O’Hara of the USMLE Step 2 CK requirement. The NRMP also learned that the program director already had filled Dr. O’Hara’s position with another candidate. Because Dr. O’Hara could not satisfy the terms of her PGY-1 contract with the program, the director had considered the contract null and void.
Section 3.4 of the Match Agreement reads:

*Programs shall not discuss or offer the matched position to another candidate prior to or during the course of a waiver investigation…*

Section 4.3 of the Match Agreement reads:

*Programs shall provide a copy of the contract the applicant will be expected to sign if matched to the program if such contract is available, or a copy of the contract currently in use. Programs also must provide all institutional policies regarding eligibility for appointment to a residency position. The contract and all other information must be communicated to interviewees in writing prior to the rank order list certification deadline.*
**MATCH WAIVERS- CONSEQUENCES**

*If a waiver is approved:*

- The program may begin to recruit for the position and the applicant may obtain another position or participate in future match.

*If a waiver is not approved:*

- Both the applicant and program are expected to honor the match commitment.
- Failure to honor the match commitment is grounds for a violation investigation and the levying of sanctions.
MATCH WAIVERS – ADDT’L CONSIDERATIONS

• A waiver of a match commitment is required, regardless of whether the appointment year already has begun

• Programs may not discuss or offer the position to another applicant until a waiver has been approved

• If an applicant’s waiver is denied and the applicant does not accept the matched position, s/he may be barred from accepting a position in an NRMP match-participating program for one year; accordingly, programs may not offer a position to an applicant whose waiver request was denied

• Reconsideration can be requested if a waiver is denied

• Waiver policy is at www.nrmp.org
VIOLATION INVESTIGATIONS

Report potential violation to Executive Director
Information gathered by NRMP
Preliminary Report reviewed by all parties
Case reviewed by Violations Committee
Review Panel Report to violator
Violator can arbitrate
Final Report distributed

Violation policy is at www.nrmp.org
Common Reasons:

- Program fails to honor the match commitment
- Program fails to provide complete, timely, and accurate information to applicants
- Program asks applicants about ranking intentions or preferences
- Program offers position to applicant matched to a concurrent year position in another program
- Program offers position to U.S. allopathic medical school senior outside the Match
- Program discusses or offers applicant a position prior to receiving a waiver from NRMP
In the 2009 Main Residency Match, Dr. Robert E. Lee matched to the General Surgery program at Utopia Medical Center. Although his waiver request had been denied, Dr. Lee informed the NRMP that he would not honor his binding match commitment because he wished to remain close to his fiancée and that he had accepted a position in a General Surgery program at a local institution. The NRMP initiated a violation investigation of Dr. Lee for failure to honor his match commitment and contacted the director of the second Surgery program. The NRMP learned that the program director offered the position to Dr. Lee in support of his wish not to be separated from his fiancée and after she had received confirmation that Dr. Lee had been released by his matched program. The NRMP then initiated a separate investigation of the program and institution.
Section 3.4.2 of the MPA reads:

An NRMP match-participating program is prohibited from offering a position to an applicant who is ineligible to accept a position in an NRMP-match participating program because his/her waiver request was denied by the NRMP...

Section 5.1 of the MPA reads:

Any program that discusses or offers a position to an applicant who has matched to a concurrent year position in another program and who has not been granted a waiver by the NRMP will be in breach of this Agreement…
VIOLATION BY A PROGRAM

Final Report sent to:

- ACGME–Residency Review Committee
- NRMP institutional official
- Program director association
- Interested parties

Program may be identified as a match violator in R3 System or barred from future matches for up to three years, or permanently.
This report displays information about graduate medical education institutions and programs that have violated the National Resident Matching Program’s Match Participation Agreement. Institution and program information is displayed permanently on the Institution and Program Violations report. Term limits of any sanction(s) are included to identify the length of time the sanction is in effect.

### Institution Violations

<table>
<thead>
<tr>
<th>Match</th>
<th>Institution</th>
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<tbody>
<tr>
<td>MAIN 2007</td>
<td>National Medial Center (1011)</td>
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**Statement**
In the 2007 Main Residency Match, the Anesthesiology program at National Medical Center offered a July 2008 position to an applicant who was matched to a concurrent year position in another program.

**Sanction**
The NRMP has notified the Institutional Review Committee of the ACGME of the match violation.

### Program Violations

<table>
<thead>
<tr>
<th>Match</th>
<th>Institution</th>
<th>Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>MAIN 2005</td>
<td>American Hospital Center</td>
<td>1076420A0</td>
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**Statement**
The Radiology-Diagnostic program American Hospital Center offered a 2005 Main Residency Match applicant a position to begin training on July 1, 2006. The applicant had matched to a position in another program for a July 1, 2006 start date.

**Sanction**
The NRMP has identified the Radiology-Diagnostic program at American Hospital Center as a match violator in the NRMP’s Registration, Ranking, and Results (R3) System until 12/05/2007.
VIOLATION BY AN APPLICANT

Final Report sent to:

- Applicant’s medical school
- Directors of residency programs
- American Board of Medical Specialties
- ECFMG*
- FSMB*
- Interested parties

Applicant may be identified as a match violator in R3 System or barred from future matches for up to three years, or permanently.

Applicant may be barred from match-participating programs for one year.
programs shall not discuss with an applicant or offer any potential position unless the program has first determined that the applicant is eligible for appointment. NRMP institutional officials and program directors shall determine the applicant's eligibility by verifying the applicant's PGY-1, PG-2, or fellowship match status in the Applicant Match History. The Applicant Match History also will indicate whether an applicant has a waiver or violation history. Applicant information is reflected permanently in the Applicant Match History. Term limits of any sanction(s) are included to identify the length of time the sanction is in effect.

Note: The NRMP Match Participation Agreement prohibits a program from discussing or offering a position to an applicant who matched to a concurrent year position in another program. In addition, if an applicant requests a waiver of the match commitment and the NRMP denies the request, the applicant is expected to accept the matched position. If the NRMP denies an applicants waiver request and the applicant does not accept the matched position, the applicant may be barred from accepting a position in another NRMP match-participating program if that program has a start date within one year from the date of the NRMP's decision. The applicant also may be barred from accepting a position in any NRMP match-participating program for a period of one year if he/she is found to have violated the Match Participation Agreement. Any program that discusses or offers a position to that applicant to commence training during the one-year period will be in violation of the Match Participation Agreement.

Click the following Search Applicant button to find the applicant you want to look up.

Search Applicant

Applicant
Name: Scarlett M O'Hara (11341467)
School: Menary Medical College (144)

History of Matches
NRMP Main Residency Match 2007
Status: Matched Program: Matched Institution: Appointment Year

Waiver
No waiver found.

Violation
Statement in the 2007 Main Residency Match, Scarlett O'Hara, M.D. matched to the Pediatrics program at Indiana University School of Medicine. On May 1, 2007, Dr. O'Hara informed the NRMP that she would not honor her binding match commitment.

Sanction: The NRMP has barred Dr. O'Hara from accepting a position in an NRMP match-participating program until 06/29/2009, barred her from participation in future NRMP matches until 09/28/2008, and has identified her as a match violator in the NRMP's Registration, Ranking, and Results (R3) System until 09/28/2009.
How to Promote Compliance?

• Utilize the Applicant Match History to inform recruitment efforts
  ▪ Can the applicant be invited for an interview?
  ▪ Has the applicant been involved in an NRMP investigation?

• Establish a good working relationship with the NRMP
  ▪ Read emails and announcements
  ▪ Visit the public web site
  ▪ Keep contact information in R3 updated

• Contact the NRMP for assistance
  ▪ Concern about a potential violation
  ▪ Questions about interpretation of policy
Residency Match

The NRMP Main Match provides an impartial venue for matching applicants’ preferences for residency positions with program directors’ preferences for applicants. Each year approximately 16,000 U.S. allopathic medical school seniors and 15,000 graduates of osteopathic, Canadian or foreign medical schools compete for approximately 24,000 residency positions.

There are four categories of programs participating in the Match:

1. **Categorical** - programs that begin in the PGY-1 year and provide the training required for board certification in medical specialties.

2. **Advanced** - programs that begin in the PGY-2 year after a year of prerequisite training.

3. **Preliminary** - one-year programs beginning in the PGY-1 year that provide prerequisite training for advanced programs.

4. **Physician** - programs that are reserved for physicians who have had prior graduate medical education. Physician programs are not available to senior U.S. medical students.

The NRMP is not an application service or a job placement service. Applicants must apply directly to residency programs in addition to registering for the Match. Most programs participate in the Electronic Residency Application Service (ERAS), which transmits residency applications to program directors via the Internet. Applicants must register with both NRMP and ERAS to participate in the services of each.

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National Resident Matching Program

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