

UNIVERSITY OF LOUISIANA at MONROE
STUDENT MEDICAL ASSISTANCE POLICY

I PURPOSE

One of the University's purposes is to ensure equality of educational opportunity while fostering an environment that promotes education, research, service, cultural diversity and the growth and safety of all members of the university community. From time to time University officials become aware of a student who may be seriously interfering with this purpose because of a physical, mental, or emotional condition. In these situations, University officials may consider the appropriateness of (1) utilizing the regular student disciplinary system, or (2) examination, hospitalization, and treatment for mental illness under Louisiana state law, or (3) administrative withdrawing a student from the University for the health, safety, and well-being of a student or posing danger to other University community members. In addition to, or instead of, either of these procedures, the matter may be handled as a potential medical withdrawal according to the standards and procedures described in this policy.

Medical Withdrawal is not a substitute for appropriate disciplinary action. A student suffering from a mental disorder who is accused of a disciplinary violation should not be diverted from the disciplinary process unless, as a result of the mental disorder, the student either lacks the capacity to respond to the charges, or did not know the nature and quality of the act in question. Further, this policy should not be used to dismiss socially or politically "eccentric" students who have not otherwise engaged in behavior which poses a danger to themselves or to others, or which substantially disrupts normal University activities.

Medical withdrawal should be reserved for those cases where interim measures, such as a behavioral agreement, are deemed inappropriate, or cannot be agreed upon by the student and the University.

The Medical Assistance Policy can be viewed online under university policies at the following address <https://ulm.edu/policies> then type Medical Assistance Policy in the search location.

II STANDARD

A student will be subject to medical withdrawal if the Medical Assistance Committee concludes that, in its professional judgment, the student is suffering from a physical, mental, or emotional health disorder and, as a result of this disorder, engages, or threatens to engage, in behavior which

- a. poses a significant danger or threat of causing physical harm to the student or others, or
- b. Substantially impedes the lawful activities of other members of the campus community, or the educational processes or proper activities or functions of the University or its personnel.

III COMPOSITION OF THE MEDICAL ASSISTANCE COMMITTEE

The Medical Assistance Committee will consist of the following members:

- a. Clinic Manager or Nurse Practitioner from the ULM Student Health Services;
- b. The Director of ULM Counseling Center or their designee;
- c. The Director of ULM Student Success Center; or their designee
- d. Two (2) Health Professionals from the ULM faculty / staff;
- e. The Director of ULM Office of Student Services (non-voting)

Quorum: A quorum shall consist of four members, with one of these members presiding as chairperson. The chairperson will not vote in the proceedings unless a tie vote must be broken.

IV COMMENCEMENT OF THE MEDICAL ASSISTANCE PROCESS

The Vice President for Student Affairs shall appoint a staff member to act as the chairperson of the medical assistance process.

Any member of the University community, who has reason to believe that a student may meet the standard for medical withdrawal described in section 2, may contact the ULM Counseling Center. The Director of the ULM Counseling Center and/or Director of ULM Health Services should conduct a preliminary, informal review and determine whether the matter should be referred to the Medical Assistance Committee. If, in the Director's judgment, the student does not meet the standard for medical withdrawal, this process will terminate, and the Director may take any other action deemed appropriate, including initiating disciplinary action or recommending that the student seek treatment.

If, in the Director's judgment, the student may meet the standard for medical withdrawal, the Director will arrange for a conference with the student. At that conference the Director will:

- a. explain this policy and provide the student with a copy;
- b. inform the student that they (the student) must meet with a designated mental or health professional within a specified time for an evaluation;
- c. inform the student that failure to meet with the mental or health professional may result in disciplinary conduct action under Section 5.03:27 of the *Code of Student Conduct* for "Failure to comply with directions of University Officials."

V ADMINISTRATIVE MEDICAL WITHDRAWAL

An Administrative Medical Withdrawal may be implemented immediately by the Director of the ULM Counseling Center or an Appointee upon recommendations of the Medical Assistance Committee if the Director or Appointee determines that the student may be suffering from a mental disorder and **the student's behavior poses a significant danger of causing imminent physical harm to the student or to others, or of directly and substantially impeding the lawful activities of other members of the campus community.** A student withdrawn on an administrative medical emergency basis shall be given an opportunity to appear personally before the Committee to discuss the following issues:

- a. the reliability of the information concerning the student's health or behavior issues; and/or
- b. whether or not the student's health or behavior issues pose a significant danger of causing imminent physical harm to the student or others, or of directly and substantially impeding the lawful activities of other members of the campus community.

Following this meeting, the Committee may either continue or cancel the administrative medical withdrawal. If the medical withdrawal is canceled, the procedures described in this policy may still be continued. If the administrative medical withdrawal remains in effect, the next stage of this procedure will be followed, and every effort will be made to expedite the process. The administrative medical withdrawal will remain in effect until the Medical Assistance Committee has rendered its decision, unless canceled by the Chair of the Committee.

VI EVALUATION BY MENTAL HEALTH PROFESSIONAL OR PHYSICIAN

The Director of the ULM Counseling Center or Health Center will inform the student that before returning to school an appropriate mental health professional must evaluate the student and they (mental health professional/physician) shall notify the University in writing if and when the student is mentally or physically ready to resume their college studies and handle the day-to-day stress of college life.

The results of the evaluation can be made available to the student upon their direct request to the provider who performed the evaluation. The report, which may be presented at all hearings, may include recommendations for the Medical Assistance Committee to consider such as withdrawal, re-admission, mandatory treatment, a behavioral contract, or a lighter academic load. The recommendations are not binding on the Committee or the University.

VII SCHEDULING A HEARING (after receipt of the evaluation, if applicable, but prior to a withdrawal)

Upon receipt of the mental health professional or physician's evaluation, the Director of the ULM Counseling Center or Health Center and the Director of Student Services will schedule an administrative hearing with the student to determine the course of action to be taken. If the student does not agree with the course of action by the Director of the ULM Counseling Center/Health Center, the student may schedule a hearing with the Medical Assistance Committee within five working days of the administrative hearing. The student may waive the five day notice period in writing or the student and the Committee Chair will coordinate a mutually agreed on time.

VIII THE HEARING

The hearing will be conducted in accordance with the Hearing Procedure Guidelines as outlined in the ULM Student Policy Manual, section 7 and the student shall be accorded all rights and privileges as stated in the ULM Student Policy Manual. (The exception to this medical withdrawal hearing is that the student may or may not be charged with a violation of the Code of Student Conduct.)

This policy MAY override general policies stated in the Student Policy Manual but will not infringe on the students' rights or appeal procedures. (Example: number of days to appeal)

Note: It is required that minutes be taken in all meetings of the Medical Assistance Committee. (either written or recorded) The minutes shall include the names and positions of each committee member in attendance.

IX THE DECISION OF THE COMMITTEE

The Committee will base its decision on evidence presented at the hearing. The concurrence of at least two Committee members will be required to withdraw a student under this policy. (A tie vote will be broken by the Committee Chair.)

If the Committee concludes that the student does not meet the standard for medical withdrawal, it will so inform the student and the Vice President for Student Affairs in writing, and the procedure shall terminate.

If the Committee concludes that the student does meet the standard for medical withdrawal, the Committee shall so state in a written decision that will include its reasons for this conclusion. This written decision will be provided to the student and the Vice President for Student Affairs.

The Committee may, at its discretion, permit a student who meets the standard for medical withdrawal to remain enrolled on a probationary basis under specified conditions which may include, but are not limited to: participation in an ongoing treatment program, acceptance of and compliance with a behavioral agreement, a housing relocation, a lighter academic course load, on-line courses or any combination. When making its determination of appropriate probationary conditions, the Committee may consult on an informal basis with faculty, residential life, and other University staff.

The Committee shall write its decision within five business days after the hearing. The Committee may deliver the decision to the student either by certified mail, return receipt requested, or in person (with signed receipt), and it will become effective immediately upon deposit in the mail.

X APPEAL

Appeal to the Medical Appeal Panel (MAP) (after a withdrawal has been determined by the Medical Assistance Committee (MAC))

Within THREE business days from delivery of the Medical Assistance Committee's decision, the student may request, in writing, that the Medical Appeal Panel (MAP) review the Committee's decision. Failure of the student to present a written appeal within this time frame will result in the forfeiture of appeal privileges.

The student shall state in writing the specific points they (the student) wish the MAP to consider (see Ground for Appeal, Section 8.01, of the Student Policy Manual). Within three (3) business days of receiving the appeal, the MAP will inform the student of their decision in writing within five (5) business days after the hearing. The MAP may (1) affirm the Committee's decision, (2) affirm the Committee's findings but alter the disposition from withdrawal to probational enrollment under specified conditions or (3) reverse the Committee's decision and reinstate the student. The MAP decision is final.

MEDICAL APPEAL PANEL

- a. Composed of seven members (Five members shall constitute a quorum)
 - Vice President for Student Affairs or appointment by the President - Chair
 - Vice President for Academic Affairs or his designee
 - The College Dean (or designee) under which the appealing student is currently registered
 - A Student Representative selected by the President
 - Two (2) Mental Health Professionals from the Faculty/Staff
 - Dean of the ULM College of Health Science or their designee
 - The Vice President for Student Affairs or President's designee shall serve as the chairperson and will only vote in case of a tie.
- b. The decision of the Medical Appeals Panel is final.

XI VOLUNTARY MEDICAL WITHDRAWAL

At any point in the process the student may present a request for a voluntary medical withdrawal to the Vice President for Student Affairs. If the request is granted, the medical withdrawal process will cease; however, voluntary withdrawal will not terminate any pending disciplinary action.

If the student's request for a voluntary medical withdrawal is granted, the student will be subject to the readmission requirements described in section 12 below.

XII READMISSION (after a withdrawal or Medical Evaluation)

A student who is withdrawn, or who obtains a voluntary medical withdrawal, may not re-enroll or be readmitted to the University before the start of the next term. Further, the Medical Assistance Committee must approve the student's re-enrollment or readmission. Approval may be granted only if the Committee determines, in its professional judgment, that the conditions that caused the withdrawal are no longer present. The Committee may require and utilize any documentation or evaluation that it deems necessary. The student is not entitled to a hearing on the determination. The student must also meet all of the admission or enrollment requirements of the University and of the school or college in which he/she wishes to be enrolled.

XIII RECORDS AND FEES

- a. All records concerning these proceedings shall be maintained by the Office of Student Services and/or the ULM Counseling Center, or ULM Health Center and shall be kept confidential in accordance with the Family Educational Rights and Privacy Act, 20 U.S.C. §1232g, and implementing regulations of the U.S. Department of Education, 34 C.F.R., Part 99 and HIPPA.
- b. The policies and procedures for fee refunds described in the *Graduate and Undergraduate Bulletins* and the ULM Student Policy Manual shall apply to students who medically withdraw under this policy.

Approved 31 January 2006 by the ULM Cabinet