

Author's Response to "Comply With Federal Laws Before Checking Institutional Guidelines on Resident Referrals for Psychiatric Evaluations"

Dr Lawson is incorrect in asserting that the article does not recommend or mention the relevance of compliance with the Americans with Disabilities Act (ADA) in the question of resident psychiatric evaluation. In the second paragraph, I state, "In addition to the ethical and state regulatory concerns regarding physician impairment, residents are employees who are covered by the Americans with Disabilities Act of 1990." Following this statement is an example in which an institution was held accountable for requiring a resident's psychiatric evaluation under the ADA. Institutions are charged with implementing policies that follow the ADA for all employees. Often these policies include additional

protections from state laws. It is for these reasons that I stated that program directors "review state medical board and institutional guidelines and regulations," and it is implicit that they must comply with the ADA.

As for the scenario presented in the article, it was intentionally vague and served as a stimulus for discussion. As for the potential harm in referral for psychiatric evaluation, there are concerns about potential stigma, but these must be weighed against the potential harm of untreated illness and possibly suicide. Dr Lawson raises the appropriate question of cost of psychiatric evaluation. If an institution is requiring one, it should pay the cost and not burden the resident. Most resident insurance plans and employee assistance programs do cover the cost of mental health evaluation and treatment.

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