

VIEWPOINT

Ensuring the Integrity of the National Resident Matching Program

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The National Resident Matching Program (NRMP), also referred to as The Match, annually conducts the Main Residency Match to place US and international medical school students and graduates (IMGs) into residency training positions in US teaching institutions. The Match, established in 1952, includes among its 19-person board of directors medical school deans and faculty members, medical students, residents and fellows, and 1 public member. In 2002, the legality of The Match was challenged by 3 resident physicians alleging it was anticompetitive, but the complaint was dismissed after Congress enacted legislation finding that "antitrust lawsuits challenging the matching process...have the potential to undermine this highly efficient, pro-competitive, and long-standing process" that "has effectively served the interests of medical students, teaching hospitals, and patients for over half a century."¹

During registration, participants must electronically sign the Match Participation Agreement ("Agreement"), a contract between participants and NRMP that defines eligibility for Match participation, articulates Match policies, and sets forth the consequences of non-compliance (such as may involve individuals not accept-

applicant's failure to accept a position has a "waterfall" effect: another applicant who also preferred that program may have matched to a lower-ranked program or not matched at all.

Nonetheless, every year some applicants cannot or will not honor their commitment. Of the 28 265 applicants who obtained positions in 2016,² 78 requested waivers of their obligation. Among their reasons were health conditions, the desire to work in a more preferred program or specialty, financial difficulties, and relationship issues.

Waivers of the Agreement

Applicants who cannot or will not honor their binding commitment must obtain a waiver from NRMP. The Waiver Policy authorizes NRMP to grant waivers in cases of serious and extreme hardship or for change of specialty if the match is to a PGY-2 advanced position that begins the year after the Match and the change is requested no later than December 15 prior to the start of the PGY-2 training.³ In processing waivers, NRMP contacts all parties having information that might bear on the decision. In adjudicating hardship waivers, NRMP

considers severity and timing of the circumstance; of particular importance is whether the hardship occurred or could have been anticipated when the applicant was still able to modify a rank order list. NRMP also strives to ensure consistency so that applicants with similar

hardships obtain the same outcome. While a waiver review is under way, neither applicant nor program can make alternate arrangements for training.

Between 2012 and 2016, NRMP processed 476 applicant waiver requests. Hardship (eg, applicant health issues, change in applicant personal or professional circumstances) accounted for 217 (46%) of the requests; of those, 139 (64%) were approved. Waivers requested for change of specialty accounted for 115 (24%) of the total number processed; however, the number of change of specialty requests declined from 38 in 2012 to 17 in 2016, whereas the approval rate increased from 39% (15/38 requests) in 2012 to 76% (13/17) in 2016. The higher approval rate likely was attributable to greater awareness of and compliance with the December 15 filing deadline. Language in the Agreement also requires applicants, programs, and medical schools to contact NRMP if a matched applicant becomes ineligible for training after Match results are released. Between 2012 and 2016, applicant ineligibility for training accounted for an additional 88 (18%) requests.

If a waiver is granted, the applicant can participate in future Matches or accept a position in another pro-

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ing the position to which they match). Despite educational efforts, noncompliance sometimes occurs because participants do not fully understand their obligations.

The Agreement is designed to promote fairness and encourage professional and ethical behavior among participants, and sanctions for violating the Agreement can be far-reaching. This Viewpoint describes actions taken by NRMP to ensure the integrity of the matching process when applicants do not comply with the Agreement.

Common Forms of Applicant Noncompliance

The Binding Match Commitment

The 2016 Main Residency Match included 42 370 applicants (US, 24 795; IMGs, 17 534; Canada, 28; Fifth Pathway, 13), an increase of almost 4000 since 2012.² Also participating were 3556 Accreditation Council for Graduate Medical Education-accredited programs offering 30 750 positions. All participants signed the Agreement, under which programs and applicants are contractually bound to offer and accept a position, respectively, if a match occurs. This binding commitment is among the most important of Match policies because an

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gram, and the program can recruit a replacement candidate. If a waiver is denied, the applicant and program are expected to honor the binding commitment. Failure to do so is grounds for an investigation to determine whether the circumstances violate the Agreement.

Disclosure of Complete, Timely, and Accurate Information

Under the Agreement, applicants also are contractually bound to provide complete, timely, and accurate information during the application, interview, and matching processes. Nevertheless, every year NRMP receives reports of applicants who did not disclose prior residency training or legal issues (eg, driving under the influence, arrests) or who submitted falsified letters of recommendation or fraudulent personal statements. From 2012 to 2016, reports of applicant failure to disclose averaged 5 per year. The Agreement makes clear that omission of information pertinent to a program's decision whether to rank an applicant, determine an applicant's ability to satisfy program requirements, or identify circumstances that might adversely affect the applicant's licensure or visa status is a violation. It also is a violation if an applicant submits information that is false, misleading, incomplete, or plagiarized.

Ensuring Integrity of the Matching Process

The procedures for investigating alleged breaches of the Agreement are set forth in the NRMP Violations Policy,⁴ first adopted in 2001. On receiving a report of an alleged violation, NRMP gathers information from interested parties and prepares a preliminary report for review by those parties. Then the case is adjudicated by a review panel that includes the NRMP chief executive officer and 2 members of the board of directors. The panel reviews all information collected during the investigation, determines whether a violation occurred and, if so, levies sanctions consistent with the Agreement and prior similar cases. The person who is the subject of the investigation can accept the panel's findings or pursue dispute resolution through the American Arbitration Association.

Excluding allegations related to improper communication during the Match Week Supplemental Officer and Acceptance Program, NRMP conducted 129 applicant investigations between 2012 and 2016. Failure to honor the binding commitment accounted for 76 (59%) of those investigations, and failure to provide complete,

timely, and accurate information accounted for an additional 28 (22%). Thirteen applicants (10%) were investigated for discussing or accepting a concurrent-year position in another program before receiving a waiver from NRMP, and 7 (5%) for posting proprietary NRMP information to public websites. Of all investigations conducted, only 11 (9%) resulted in a finding of no violation.

If a violation is confirmed, sanctions can include a 1-year bar from accepting or starting a position or a new training year in any program sponsored by a Match-participating institution; a 1- to 3-year or permanent bar from future Match participation; and a 1- to 3-year or permanent flag as a Match violator in the NRMP Registration, Ranking, and Results (R3) system. When determining sanctions, NRMP considers the nature and egregiousness of the violation and the effect of the violation on the integrity of the Matching Program and other Match participants. The final report is sent to the applicant's medical school, all parties who provided information during the investigation, the American Board of Medical Specialties, and—in the case of an IMG—the Educational Commission for Foreign Medical Graduates. If an applicant is barred permanently from future Matches, the final report is sent to the Federation of State Medical Boards for inclusion in its Physician Data Center. In 2013, NRMP published Sanctions Guidelines to provide insight into how penalties are determined for confirmed violations.⁵

NRMP created an Applicant Match History in the R3 system to allow program directors to learn of an applicant's prior waiver review or violation investigation. The Agreement requires program directors to use the Applicant Match History to determine applicants' eligibility for appointment before offering them interviews.

Trust in the Matching Process

The overarching goal of NRMP is to maintain a fair, efficient, and reliable matching process. The NRMP Agreement aims to achieve that goal by delineating the rights and responsibilities of Match participants and by establishing the authority of NRMP to investigate and levy sanctions against those who do not conduct their affairs in an ethical and professionally responsible manner. The integrity of the Match not only depends on NRMP's rigorous enforcement of its policies but also on the willingness of participants to report alleged violations of the Agreement.

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