

Society of Clinical Ultrasound Fellowships

Waiver and Deferral Policy

Policy Name	Fellowship Waiver and Deferral Policy	
Affected Parties	Applicants, Programs, Sponsoring Institutions	
Approval Authority	President/Board of Directors	Adopted MAY 12, 2025
Contact	Email – info@scufellowships.org	

1. Policy Statement

A waiver or deferral of the binding fellowship position commitment outlined in the Application Agreement provides fellowship applicants relief under certain circumstances. Neither applicants nor programs may release each other from the binding fellowship position commitment, including matching through the NRMP Match or an offer accepted outside the Match. A waiver or deferral may only be obtained from the SCUF.

This Waiver and Deferral Policy ("Policy") is written to augment the NRMP Match Waiver and Deferral Policy. Matched positions that are generated from the NRMP Match must abide by NRMP policies. If NRMP policies do not address any issues related to waiver or deferral to the satisfaction of the parties, then the SCUF Fellowship Waiver and Deferral Policy may be invoked, if appropriate.

Under the terms and conditions of the SCUF Match Participation Agreement, all matches are binding.

2. Reason for Policy

- a. To provide applicants and programs with guidance for requesting a waiver or deferral of their binding fellowship position commitment.
- b. To outline the SCUF's procedures for processing a waiver or deferral request and the rights and responsibilities of the applicant or fellow involved.

3. Definitions

1. **Deferral:** A one-year delayed start of training mutually agreed to by the applicant and the program.
2. **Applicant:** Any individual, program, institution participating in the SCUF application process for ultrasound fellowship appointment.
3. **Application Agreement:** The contractual arrangement between the SCUF and an applicant for an ultrasound program that affirms their agreement to adhere to the application policy and establishes a binding commitment between an applicant and a program.
4. **Remedy:** An action an applicant may be offered by the SCUF in lieu of a violation investigation when they indicate they will not honor a binding commitment established through acceptance of a fellowship position from a SCUF program after applying through the SCUF application portal.
5. **Sanction:** The imposition of a penalty based on the outcome of an investigation.
6. **Unanticipated, Serious, and Extreme Hardship:** The significant and unexpected adversity an applicant may experience if required to honor a binding fellowship position commitment.
7. **Violation:** A confirmed breach of the Application Agreement committed by an applicant.
8. **Waiver:** The release of an applicant or program from the binding fellowship position commitment.

9. **The Match:** The NRMP sponsored national match for fellows and programs that is used by emergency ultrasound, AEMUS, or POCUS fellowships
10. **“Outside the Match”:** The process of interacting, interviewing, and offering a fellow position in a situation where the applicant and/or the program is not participating in the Match.

4. Policy

Waivers can be requested for unanticipated serious and extreme hardship, change of specialty, or ineligibility.

1. FOR DETAILS ON REQUESTING A WAIVER OR DEFERRAL FOR APPLICANTS AND PROGRAMS THAT HAVE PARTICIPATED IN THE MATCH SEE DETAILS at NRMP.ORG
2. Any waiver or deferral for program positions listed in the NRMP Match and/or applicants in the NRMP Match accepted to a position listed in the Match should be referred to NRMP for review.
3. Any program or fellowship applicant using SCUF resources to identify, communicate with, correspond, or advertise to fellowship applicants must abide by this Policy.
4. Under the terms and conditions of the SCUF Application Agreement, all positions that involve SCUF resources offered and accepted through the NRMP Match or outside of the Match are considered binding.
5. If for any reason an applicant or program cannot or will not honor the binding commitment, a waiver must be obtained from the SCUF.
6. Information provided must be complete, timely, and accurate for the SCUF to process the request.
7. Once a waiver has been requested by an applicant, applicants cannot apply for, discuss, interview for, or accept a position in another program until a waiver has been granted.
8. Once a waiver has been requested by a program, the program cannot solicit, interview for, or accept another fellow into that fellow slot.
9. The responsibility rests with the applicant or program to demonstrate the extent of the unanticipated serious or extreme hardship.
10. Applicants and programs are not authorized to release each other from the binding commitment of a fellowship offer.
11. The requestor must notify the counterpart of the waiver or deferral request, along with the reason, before submission to the SCUF.
12. If a waiver is granted, an applicant may accept a position in another program or participate in a future Match and the program may recruit for the position. If a waiver is not granted, the applicant and program are expected to honor the binding commitment.
13. The SCUF also will consider a one-year delayed start of training (“deferral”) if mutually agreed to by the applicant and the program.
14. Programs and applicants granted a waiver or deferral by NRMP need to inform the SCUF of this, but do not need additional approvals from the SCUF.
15. A waiver will be granted by the SCUF if:

- a. The applicant is confirmed to be ineligible to begin training in the matched position(s) by the start date;
- b. The SCUF determines that the fulfillment of the commitment would cause unanticipated, serious, and extreme hardship; or
- c. An applicant has accepted an advanced position or a fellowship position and has elected to change specialties, subspecialties, or leave medicine and has requested a waiver no later than January 15 before the start of the training year.

Programs who fail to disclose to applicants the official policies of the appointing institution and/or program prior to either (i) the Rank Order List Certification Deadline or (ii) acceptance of a position outside of the NRMP Match may not be eligible to receive a waiver of the binding commitment.

- 16. Applicants may be granted up to three waiver approvals. Applicants requesting subsequent waivers may be subject to a violation investigation by the SCUF.
- 17. A deferral will be considered by the SCUF only if both parties agree to delay the start of training.
- 18. Waiver or deferral requests made after a violation investigation has been initiated may not be considered by the SCUF until a Final Report of the violation investigation has been issued.
- 19. The SCUF's decision on Waiver or Deferrals is final and is not subject to challenge in arbitration, by judicial review, or by review of any other third party.

5. Waiver Procedure

1. If an applicant requests a waiver, the SCUF will:

- a. Acknowledge receipt and request additional information from the applicant, if needed. If the applicant's response is not received by the specified date, the case will be reviewed absent the applicant's statement.
- b. Request the applicant attest in writing to their intent to honor the binding commitment absent approval of the request.

If the applicant indicates in writing they will not honor the binding commitment regardless of the SCUF's decision, the SCUF:

- 1. Will release the matched program from the commitment, if such program consents to the release; and
- 2. May initiate a violation investigation or offer a remedy in lieu of the violation investigation.
- c. Send a notice of the request to the matched program (or offering program if outside the match) requesting that it:
 - 1. Provide a written statement and any relevant documentation. If the program's response is not received by the specified date, the case will be reviewed absent the program's statement.
- d. Contact other relevant parties believed to have knowledge of the circumstances (e.g., school official, institutional official) with requests for information.

2. If a program or institution requests a waiver, the SCUF will:

- a. Acknowledge receipt and request additional information, if needed. If the program's response is not received by the specified date, the case will be reviewed absent the program's statement.
 - b. Request the program director or institutional official attest in writing to their intent to honor the binding commitment absent approval of the request.
 - i. If the program indicates in writing it will not honor the binding commitment, regardless of the SCUF's decision, the SCUF:
 - i. Will release the matched applicant from the commitment, if such applicant consents to the release; and
 - ii. May initiate a violation investigation.
 - c. Send notice of the request to the matched applicant requesting that they:
 - i. Provide a written statement and relevant documentation. If the applicant's response is not received by the date specified, the case will be reviewed absent the applicant's statement.
 - d. Contact other relevant parties believed to have knowledge of the circumstances (e.g., program director, school official, or institutional official) with requests for information.
3. If a waiver is granted:
- a. All relevant parties are notified of the SCUF's decision.
 - i. If either party disagrees with the waiver decision, and the party meets criteria for reconsideration, they may request reconsideration by the specified due date.
 - i. If reconsideration is requested, the waiver decision shall not be considered final until the reconsideration process has concluded.
 - ii. If both parties accept the waiver decision, the SCUF will send a waiver closed memo to all parties.
 - b. The applicant may accept another position or participate in future application cycles after receiving the waiver closed memo, with the following exceptions:
 - i. If the waiver for a change of specialty is granted, the applicant may not re-enter an ultrasound fellowship position in another program.
 - ii. If the waiver to leave medicine is granted, the applicant may not re-enter the ultrasound fellowship application process for two years.
 - iii. If the SCUF determines a violation may have occurred by the applicant, the SCUF may initiate a violation investigation.
 - c. The program may recruit another candidate for the vacant position after receiving the waiver closed memo, with the following exception:
 - i. If the SCUF determines a violation may have occurred by the program, the SCUF may initiate a violation investigation.

4. If a waiver is denied:

- a. All relevant parties are notified of the SCUF's decision.
 - i. If either party disagrees with the waiver decision, and the party meets criteria for reconsideration, they may request reconsideration (Section 6) by the specified due date.
 - i. If reconsideration is requested, the waiver decision shall not be considered final until the reconsideration process has concluded.
 - ii. If both parties accept the waiver decision and agree to honor the commitment, the SCUF will send a waiver closed memo to all parties.
- b. If an applicant refuses to accept the waiver decision and indicates they will not honor his or her binding commitment:
 - i. Once declined, the SCUF will offer the applicant a post-decision pathway of either:
 - i. Remedy; or,
 - ii. Violation investigation which may result in sanctions (see Violations Policy).
 - ii. The matched program will be released from the binding commitment.
- c. If a program refuses to accept the waiver decision and indicates it will not honor the binding commitment:
 - i. The matched applicant will be released from the binding commitment.
 - ii. The SCUF may initiate a violations investigation, which may result in sanctions (see Violations Policy).

6. Reconsideration of Initial Waiver Procedure

A request for reconsideration of an initial waiver decision may be made by either party. Waiver decisions are not final until both parties have exhausted the reconsideration process or have communicated they do not wish a reconsideration of the decision.

1. Either party may request reconsideration of the initial waiver decision when:
 - i. An initial waiver request is granted, and the matched counterpart indicates they are not in agreement; or
 - ii. An initial waiver request is denied, and the matched counterpart indicates they are not in agreement.
2. Reconsideration will not be considered when an applicant is ineligible for a position due to delayed graduation, incomplete prior graduate medical education, inability to obtain a Visa, or any other circumstances that makes the applicant ineligible to begin training.
3. If either party requests reconsideration, the SCUF will send a notice of reconsideration to the matched counterpart and relevant parties. All parties will have the opportunity to submit additional information.

4. If the reconsideration decision reverses the initial waiver decision, all relevant parties are notified of the SCUF's decision.
5. If the reconsideration decision upholds the initial waiver decision, all relevant parties are notified of the SCUF's decision.

7. Deferral Process

1. Upon request for a deferral from either party, the SCUF will acknowledge receipt and request additional information, if needed.
2. The SCUF will send a notice of the request to the matched counterpart requesting they indicate their agreement with the request.
3. If the deferral is granted:
 - i. The applicant and program will have a one-year delayed start to the appointment;
 - ii. The program may recruit a candidate for the vacant position; and
 - iii. The SCUF will send a deferral closed memo to all parties.
4. If the deferral is denied:
 - i. All relevant parties are notified of the SCUF's decision, and the binding commitment must be honored for the matched appointment year.

8. Remedy

1. If an applicant refuses to accept a waiver decision as set out in Section 5 above, in lieu of a violation investigation, the applicant may agree to the following remedy:
 - i. Being barred from accepting or starting a position (or renewing a training contract for a position at a different level or for a subsequent year), regardless of the start date, in fellowship training program participating in the SCUF application process that would commence training within one year from the date of the SCUF's final decision to deny the waiver; and
 - ii. Being barred from the SCUF application portal for one year; and
 - iii. Being flagged as a match violator in the SCUF application portal for one year.
2. If a program refuses to accept a waiver decision as set out in Section 5 above, in lieu of a violations investigation, the program may agree to the following remedy:
 - i. Being barred from accepting an applicant for the fellowship slot that would have been occupied by the applicant requesting the waiver, regardless of the start date; and
 - ii. Being barred from the SCUF application portal for one year; and
 - iii. Being flagged as a match violator in the SCUF application portal for one year.

This remedy will be effective upon the SCUF's receipt of a signed confirmation from the applicant that he or she will agree to the remedy.

Such remedy shall be deemed to constitute a final determination and is not subject to arbitration or judicial review. The remedy will be reflected in Applicant Match History for the length of time the remedy is in effect.

9. Violations of the Application Agreement

If the SCUF initiates a violation investigation to determine whether an applicant, program, or institution has violated the terms of the applicable Application Agreement, the investigation and any confirmed violation will be handled in accordance with the terms of the relevant Application Agreement and the Violation Policy of the SCUF Agreements and policies.

10. Communications, Confidentiality, and Responsibilities

1. Communications from the SCUF to Match participants will be transmitted electronically. If requested, the SCUF will communicate by U.S. mail.
2. In requests for information, the SCUF will specify a due date for receipt of materials.
3. Absent an applicable legal requirement, SCUF treats as confidential all communications and other information collected in connection with the waiver and deferral review process.
4. Applicants requesting a waiver or deferral may not apply for, discuss, interview for, or accept a concurrent year position in another program prior to completion of the waiver or deferral process.
5. Programs may not discuss, interview for, or offer the position to any other candidate prior to completion of the waiver or deferral process.