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Do You Plan To Have Children? The Incidence of Potentially Illegal Questions During Resident Interviews

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Background: Residency interview questions related to marital status, family planning, age, ethnicity, religion, or sexual preferences are potentially illegal. Little research documents the prevalence of potentially illegal questions based on specialty and gender and the effect it has on recruitment.

Methods: We conducted a cross sectional survey of U.S. applicants applying in given specialties (emergency medicine, internal medicine, OB/GYN, orthopaedics, and general surgery) during the 2006-2007 interview season through the electronic residency application service (ERAS) and AAMC. Applicants were asked if they experienced questions about marital status, age, whether they had children, family planning, ethnicity, and religious beliefs. Applicants were specifically asked to answer based on questions the interviewer brought up independently. Surveys were sent after rank lists were submitted and analyzed using logistic regression.

Results: Of 13,372 applicants surveyed, 6,981 returned a valid completed survey (52.2%). Overall, 51.1% (95% CI =4.98-52.5) were asked about their marital status, 9.8% (9.1-10.6) about their age, 26.0% (24.8-27.1) about whether they had children, 14.3% (13.4-15.3%) about their plans to have children, 11.8% (1.0-12.7) about their ethnicity, and 8.75% (7.99-9.55) about their religion. In addition, women were more likely to be asked about marital status (53.7% vs. 48.8%) [$p<0.0001$] (OR .82, .73-.91 for males). 27.2% of women and 24.8% of men [$p=.045$] (OR .88, .79-1.0 for males) were asked if they currently have children. Regarding family planning, 20.9% of women and 8.6% of men [$p<0.0001$] (OR .35, .30-.42 for males) faced questions about their plans for having children. Of applicants asked about family planning, 27.0% were less likely or much less likely to rank a program highly.

Conclusion: Applicants to residencies are being asked potentially illegal and inappropriate questions. Women and men face questions about marital status and children but women had far more questions about family planning.