



JOINT ACCREDITATION™  
INTERPROFESSIONAL CONTINUING EDUCATION

## **Procedures for Reconsideration or Appeal of Adverse Joint Accreditation Decisions**

These Procedures are effective with respect to all requests for Reconsideration or Appeal which are received by Joint Accreditation on or after April 30, 2022.

### **A. RECONSIDERATION of an Adverse Action**

1. “Adverse Action” shall mean a reduction of a provider’s accreditation to Probation or Nonaccreditation or an initial decision to deny Joint Accreditation to an applicant organization. A Joint Accreditation decision to take an Adverse Action against a provider or applicant shall be sent to the organization as a Notice of Adverse Action (“Notice of Adverse Action”). A notice sent by Joint Accreditation pursuant to the Joint Accreditation Policy Regarding Inquiries and Allegations of Noncompliance that Arise Outside of the Accreditation Process which contains the elements required by the following sentence shall constitute a Notice of Adverse Action. The Joint Accreditation Notice will describe the basis for the Adverse Action and advise the provider of the provider’s opportunity to file a request for reconsideration (a “Reconsideration”) with Joint Accreditation; provided, however that a provider shall have no right to a Reconsideration or Appeal if Joint Accreditation takes an Adverse Action pursuant to the first paragraph of Section E of the Joint Accreditation Policy Regarding Inquiries and Allegations of Noncompliance, and a Provider shall only have a right to an Appeal, and not a right to Reconsideration, in the event of an Immediate Suspension implemented by Joint Accreditation pursuant to Section F of the Joint Accreditation Policy Regarding Inquiries and Allegations of Noncompliance that Arise Outside of the Accreditation Process (an “Immediate Suspension”).
2. A provider’s request for Reconsideration (if any) must be submitted in writing to Joint Accreditation by the provider (or the provider’s representative) within thirty (30) calendar days of the receipt of the Notice of Adverse Action. Otherwise, the Adverse Action decision made by Joint Accreditation becomes final.
3. The provider’s request for Reconsideration must include all documents, data and information in support of its request for Reconsideration, and all materials must be submitted in writing. Except for instances of an immediate suspension of a provider’s accreditation pursuant to Section F of the Joint Accreditation Policy Regarding Inquiries and Allegations of Noncompliance that Arise Outside of the Accreditation Process, which does not permit the provider to seek

Reconsideration, the accreditation status of the provider, during the process of reconsideration, shall remain as it was prior to the Adverse Action decision.

4. A Reconsideration related to an accreditation review of a provider will be based upon the provider's entire continuing education program as it existed at the time of the Notice of Adverse Action.
5. Joint Accreditation will review the provider's Reconsideration submission (as well as any other relevant data and information) and will render a written decision which either sustains, amends or reverses the Adverse Action decision. Joint Accreditation will issue a Reconsideration decision and send the provider notice of the Reconsideration decision.

#### **B. APPEAL of an Adverse Reconsideration**

1. If, following the Reconsideration, Joint Accreditation sustains all or part of the Adverse Action, the provider ("Appellant") may request a hearing (an "Appeal") within thirty (30) calendar days following the date of receipt of the notice of Adverse Action Reconsideration decision before an Appeal Board. The provider also may request an Appeal if Joint Accreditation takes an Adverse Action consisting of an Immediate Suspension. The request for an Appeal shall include a statement of reasons for appealing the decision of Joint Accreditation. Appeals may be based only on the grounds that Joint Accreditation's decision was: (1) arbitrary, capricious, or otherwise not in accordance with the accreditation standards and procedures of Joint Accreditation, or (2) not supported by substantial evidence. If a written request for an Appeal is not received by Joint Accreditation within thirty (30) calendar days following the date of provider's receipt of the notice of Adverse Action Reconsideration decision, or within fifteen (15) calendar days of a notice of Immediate Suspension, the Adverse Action of Joint Accreditation will be final.
2. The accreditation status of the Appellant, during the process of Appeal, shall remain as it was prior to the Adverse Action decision; provided, however, that the accreditation status of a provider who is subject to an Immediate Suspension shall be Nonaccreditation during the process of the Appeal.
3. The Appeal Board shall be composed of three members to be appointed by the three founding organizations of Joint Accreditation according to the following procedures: A list of seven (7) individuals, qualified and willing to serve as members of the Appeal Board, shall be prepared under the direction of Joint Accreditation. Within twenty (20) calendar days of receipt of notification of the Appeal, the list shall be sent by written communication to the Appellant. The Appellant may eliminate up to two (2) names from the list to make up the Appeal Board and shall notify Joint Accreditation of its selection within ten (10) calendar days of its receipt of the list. Joint Accreditation shall then select the three (3)

individuals from the names still remaining on the list who shall constitute the Appeal Board and shall notify the Appellant of the names of the persons selected. No persons who took action regarding the matter under Appeal shall serve on the Appeal Board.

4. Hearings, requested in conformity with these procedures, shall take place no later than ninety (90) calendar days following the appointment of an Appeal Board. The hearing shall take place in Chicago, Illinois, at a location determined by Joint Accreditation.
5. At least forty-five (45) calendar days prior to the hearing, the Appellant shall be notified of the time and place of the hearing as determined by Joint Accreditation in its sole discretion. Upon payment of copying charges as determined by Joint Accreditation in its sole discretion, the Appellant has the right to request and obtain copies of the Appellant's Joint Accreditation file as it existed at the time of the Notice of Adverse Action; provided, however, that any reports from an independent reviewer shall be redacted so as to not reveal the identity of the independent reviewer. The record on appeal considered by the Appeal Board will be limited to documents and data which were considered as part of the Adverse Action, the contents of the provider's file as of the Adverse Action, and any materials submitted by the provider as part of the Reconsideration process.
6. Written statements may be submitted to the Appeal Board prior to the hearing on a schedule determined by the Appeal Board and at the hearing.
7. At any hearing before the Appeal Board, the representatives of the Appellant may be accompanied by counsel, make oral presentations, offer testimony, and present such information which is relevant to the record on Appeal. The Appellant may request that a representative of Joint Accreditation appear as a witness to be examined with respect to the subject of the Appeal, if the Appellant submits such request at least thirty (30) calendar days prior to any such hearing.
8. Joint Accreditation may appoint one or more representatives to attend the hearing, and Joint Accreditation's representatives may be accompanied by counsel, make oral presentations, offer testimony, and present such information which is relevant to the record on Appeal. Joint Accreditation's representatives and/or Joint Accreditation's counsel may examine the Appellant's representatives. The hearing need not be conducted according to the rules of law relating to the examination of witnesses or the presentation of evidence. The Chair of the Appeal Board shall make all determinations on procedural matters and all determinations on the admissibility of information sought to be presented.

9. Joint Accreditation may, in its sole discretion, appoint a non-voting Chair of the Appeal Board to act as a Hearing Officer; this person may be in addition to the three (3) member Appeal Board, and does not need to be an individual from the list described in Section B.3.
10. The Appeal Board shall submit a written recommendation on the accreditation status of the Appellant for consideration by the three founding organizations of Joint Accreditation at their first meetings which occurs at least three calendar (3) days following receipt of the recommendation of the Appeal Board. The decision by the three founding organizations of Joint Accreditation as to the accreditation status of the Appellant shall be final, and the decision shall be effective immediately upon delivery of notice to Appellant of the action by the three founding organizations of Joint Accreditation. No person who served as a member of the Decision Committees of the three founding organizations or the Appeal Board regarding an Adverse Action shall participate in the deliberations or vote of the three founding organizations of Joint Accreditation regarding such Adverse Action.
11. Expenses of the Appeal Board shall be shared equally by the Appellant and Joint Accreditation, and the Appellant must submit payment for half the estimated Appeal costs as determined by Joint Accreditation in its sole discretion at least thirty (30) calendar days prior to the hearing. If payment is not received by the due date: (a) the Appellant will have failed to comply with these Procedures; (b) no further action will be taken on the Appeal because of failure to comply with these Procedures; and (c) the Adverse Action will not be modified and shall be final and not subject to further appeal. The expenses of witnesses requested by the Appellant shall be the responsibility of the Appellant. The expenses of the representatives of Joint Accreditation, who appear at the request of Joint Accreditation, shall be borne by Joint Accreditation. Expenses of any representatives of Joint Accreditation, who appear at the request of the Appellant, shall be the responsibility of the Appellant. The Appellant shall not have a right to appear in person at the meetings of the three founding organizations of Joint Accreditation.

### **C. Manner of Communication**

Written communication to Joint Accreditation related to these Procedures must be sent in a manner that confirms receipt (e.g., email, USPS certified mail Return Receipt Requested, FEDEX-type courier), and addressed to: Joint Accreditation for Interprofessional CE, c/o ACPE, 190 S La Salle St Ste 2850, Chicago, IL 60603 or, if by email, [info@jointaccreditation.org](mailto:info@jointaccreditation.org). All written communications sent by Joint Accreditation relating to these Procedures shall be in a manner that confirms receipt (e.g., email, USPS

certified mail Return Receipt Requested, FEDEX-type courier), and addressed to the Joint Accreditation contact specified by the provider in Joint Accreditation's records.