

DTRC Appeals Process

Background and Introduction

The ASHI Director Credentialing process involves a multilevel evaluation by a Director Training Review and Credentialing Committee (DTRC) Reviewer, DTRC Chair, and a member of the Executive ARB (E-ARB) that includes the Program Director or co-Chairs. The credentials are reviewed and this group performs the final oral review and the outcome of the evaluation determined by both a member of the Executive Accreditation Review Board and the DTRC Chair with the DTRC Reviewer. The structure of this process provides a high assurance of a thorough, fair, and impartial evaluation of compliance with the minimum Standards that must be followed to assure fulfillment of the minimum acceptable qualifications as a laboratory director. Nonetheless, when approval is denied, the applicant shall have the opportunity to appeal the decision.

Exceptions : Applicants who refuse to cooperate with reasonable requests for additional information, data, or documentation; or who deny an inspector access to the portfolio documentation for purposes of performing an on-site inspection review; or who knowingly and willfully obstruct the evaluation process shall not have the right to appeal the Director Review and Credentialing Committee's decision.

Description of the Process

When there is NOT a condition of immediate threat to patient care or danger to the general public, the Appeal Process occurs in two stages.

First, the Appeal Board reviews documents submitted by the applicant and the DTRC/E-ARB evaluation documentation to determine if an Appeal Hearing is warranted. A hearing is warranted when there is clear evidence suggesting the decision of the Director Training Review and Credentialing Committee (DTRC) and/or the Executive Accreditation Review Board (E-ARB) resulted from bias, misrepresentation, or unavailability of critical information. If the Appeal Board determines that a hearing is not warranted, the initial decision of the DTRC/E-ARB is upheld and the Appeal Process ends. If the Board determines that a hearing is warranted, the process moves to a second stage in which a hearing is conducted. For purposes of the hearing, the Appeal Board may request additional documentation from any members of the DTRC and/or E-ARB, or the applicant that must be provided if the Appeal is to proceed. The Appeal Board will meet and will conduct interviews of relevant individuals either at the meeting site or by teleconference. Subsequent to the hearing and within 60 days of the filing of the appeal, the Appeal Board will render its decision in cases. The Appeal must be submitted within 5 days and the Appeal Board will review and render a decision within 10 days . In these cases, an appeal does not stay the decision of the DTRC/E-ARB.

All documents associated with the hearing shall remain confidential. The applicant shall receive a summary statement of the basis of the Appeal Board's decision. If the Appeal Board upholds the initial decision of the DTRC/E-ARB, the action of the DTRC/E-ARB will be imposed immediately and the applicant shall be billed for all costs associated with the appeal process. These costs will include but are not necessarily limited to: phone calls, photocopying, personnel costs, shipping, legal fees. If the Appeal Board reverses the decision of the DTRC/E-ARB, Director approval will be granted.

Materials and testimony are to be limited to documentation of conditions existent at the time of the new director evaluation. No actions taken and no data generated subsequent to the evaluation are to be considered. The evaluation process itself is not to be evaluated but rather whether or not the findings of the DTRC/E-ARB were correct and factual. The decision of the Appeal Board shall be final.

For an appeal application to be valid, it must contain all necessary documents and a check or money order to cover the filing fee. One-third of the filing fee is a non-refundable processing fee. If the Appeal Board finds against the applicant, part or all of the remaining two thirds of the filing fee will be applied to the cost of the Appeal Process. If the Appeal Board finds in favor of the applicant, two thirds of the filing fee will be returned to the applicant. If the application for an appeal is incomplete, the applicant will have 48 hours to submit the necessary materials or shall forfeit the right to an appeal.

Instructions for Filing an Appeal

Submit the following materials prior to the deadline for filing an appeal that was indicated under Description of the Process to Appeal.

A. Five copies of documents providing evidence that the findings of the DTRC/E-ARB were incorrect. These materials must be page numbered, bear the director applicant's name, and be bound together in a ring binder or other system that provides reasonable assurance of maintaining the order of the documents.

The first page of the packet must be a table of contents.

The front of each document must indicate the citation(s) address by the information/data contained in the document. This material must be limited to information about conditions that existed at the time of applicant's review and must not contain materials that discuss actions taken or data generated subsequent to the action of the DTRC/E-ARB.

B. A check, bank draft, or money order made payable to ASHI in the amount of \$750 .

C. A signed agreement of financial obligation.

D. A written summary of no more than 2 pages in length, highlighting the bases of refuting the DTRC/E-ARB decision.

All materials must be sent by overnight courier and must be traceable.

Send materials specified in A - D, above, to:

**Melissa McElroy
Accreditation Manager
ASHI Accreditation Office
90 West County Road C
Suite 300
St. Paul, MN 55117
(651) 487-2806 / Fax: (651) 489-3387
melissa@cmehelp.com**