



PROCEDURES FOR RECONSIDERATION AND APPEAL OF ADVERSE ACCREDITATION DECISIONS

A. Right to Request Reconsideration and Appellate Review of Adverse Accreditation Decision

Any Applicant receiving an Adverse Accreditation Decision (i.e., a decision by the SSCC Accreditation Review Committee (ARC) to deny any form of accreditation or to put an entity on probationary accreditation) may request reconsideration of such decision by the SSCC Accreditation Review Committee in accordance with the procedures set forth in Section C. Any Applicant receiving an Adverse Reconsideration Decision may request appellate review of such decision in accordance with the procedures set forth in Section D.

B. Adherence to Required Deadlines

Notwithstanding any other provision in these Procedures, strict adherence to the deadlines established by this document shall be required of all Applicants requesting reconsideration of an Adverse Accreditation Decision or appellate review of an Adverse Reconsideration Decision. If an Applicant fails to observe the applicable deadlines, the Applicant shall be deemed to have waived its rights to request reconsideration or appellate review.

C. Reconsideration of an Adverse Accreditation Decision

1. Notice of the Adverse Accreditation Decision shall be transmitted to the Applicant in a manner that confirms receipt and shall include a statement of the basis for the Adverse Accreditation Decision, along with a copy of these Procedures for Reconsideration and Appeal of Adverse Accreditation Decisions.
2. The Applicant shall have thirty (30) days following the date of delivery of the Notice of Adverse Accreditation Decision to request reconsideration by the SSCC Accreditation Review Committee. The request shall be made in writing (either hard copy or digital) and sent to the SSCC lead manager in a manner that confirms receipt.
3. If the Applicant does not request reconsideration within the time and in the manner required, the Applicant shall be deemed to have accepted the Adverse Accreditation Decision and to have waived its right to reconsideration and appeal. The Adverse Accreditation Decision thereupon shall become final.
4. If the Applicant does request reconsideration within the time and in the manner required in this document, such request shall automatically stay the Adverse Accreditation Decision until the reconsideration, and any appellate review, is

- completed. The accreditation status of the organization during the process of reconsideration shall remain as it was immediately prior to the Adverse Accreditation Decision.
5. The Southern States CME Collaborative reserves the right to charge a fee for Reconsideration requests, according to the SSCC's fee schedule posted on the CME webpages of the member state medical societies. If the result of the Reconsideration changes the findings and/or the accreditation decision, the fee shall be refunded.
 6. The Applicant's request for Reconsideration must include:
 - a. a statement of the specific reasons the Applicant believes the Adverse Accreditation Decision was in error;
 - b. all documents, data, and information in support of the request for Reconsideration; and,
 - c. payment of any fees associated with Reconsideration.
 7. Any Reconsideration related to an accreditation review shall be based on the applicant's entire continuing medical education program as it existed at the time of the Notice of Adverse Action.
 8. SSCC's Accreditation Review Committee will review the applicant's Reconsideration submission and any other relevant data and information, and shall render a written decision which either sustains, amends, or reverses the Adverse Action decision. The SSCC will communicate the Reconsideration decision to the applicant within fourteen (14) days of the committee's decision.

D. Appeal of an Adverse Reconsideration Action

1. If, as part of the Reconsideration, the SSCC sustains all or part of the Adverse Decision, the Applicant shall have thirty (30) days following the date of delivery of an Adverse Reconsideration Decision to request an Appeal. The request for an Appeal must include a statement of reasons for appealing the decision of the SSCC ARC. Appeals may be based only on the grounds that the SSCC's decision was: (1) arbitrary, capricious, or otherwise not in accordance with the accreditation standards of the SSCC; or (2) not supported by substantial evidence. If a written request for an Appeal is not received by the SSCC within thirty (30) days following the date of the Applicant's receipt of the notice of the Adverse Action Reconsideration decision, the Adverse Action of the SSCC shall be final.
2. The accreditation status of the Applicant, during the process of the Appeal, will remain as it was prior to the Adverse Action decision; provided, however, if the accreditation status of a provider is subject to Immediate Suspension, the Applicant's status will be Non-accreditation during the process of the Appeal.
3. The SSCC Appeal Review Committee will be composed of three members to be appointed by the Southern States CME Collaborative Governing Board according to the following procedure:
 - a. A list of seven (7) individuals will be prepared and sent by electronic or written communication to the Applicant within twenty-one (21) days of SSCC's receipt of notice of Appeal of an Adverse Reconsideration Action.
 - b. The Applicant may eliminate up to two (2) names from the list and will notify the

lead manager of the SSCC of its selection within ten (10) days of its receipt of the list.

- c. The SSCC will then select three (3) individuals from the remaining names on the list. These three will constitute the Appeal Review Committee. The SSCC Governing Board will appoint a Chair of the Appeal Review Committee. The SSCC will notify the Applicant of the names of the persons selected.
- d. No person who served on the SSCC's Accreditation Review Committee during the Applicant's application or reconsideration process, or who took action on the matter under appeal will be eligible to serve on the Appeal Review Committee.
4. The Appeal Hearing will take place no later than ninety (90) days following the appointment of the Appeal Review Committee. The hearing will take place at a location to be determined by the SSCC Governing Board. The hearing may be conducted in person or virtually at the discretion of the SSCC Governing Board.
5. The Applicant shall be notified of the time and place of the appeal review hearing at least thirty (30) days prior to the appellate review procedure.
6. Upon payment of copying charges, if applicable, the Applicant may obtain copies of the Applicant's SSCC file related to the accreditation decision by submitting a written request for such documents to the lead manager of Southern States CME Collaborative. Any reports from an independent reviewer will be redacted to obscure the identity of the independent reviewer. The record on appeal considered by the Appeal Review Committee will be limited to the documents and data which were considered as part of the Adverse Action, the contents of the Applicant's file as of the Adverse Action, and any materials submitted by the Applicant as part of the Reconsideration process. Additional evidence shall not be considered.
7. The Applicant and the SSCC Accreditation Review Committee shall have the right to present to the Appeal Review Committee a written statement in support of their respective positions on appeal. In its sole discretion, the Appeal Review Committee may allow the Applicant's designated representatives to appear personally and make oral argument.
8. At any hearing before the Appeal Review Committee, the Applicant may be represented by counsel at the oral argument; provided, however, that this right shall be conditioned upon the Applicant providing written notice at least twenty-one (21) days prior to the oral argument to the lead manager of the SSCC of its intent to be accompanied by counsel, and of the full name, street address, telephone number, and email address of counsel.
9. The SSCC Governing Board President may, at their sole discretion, appoint a non-voting Hearing Officer to assist in conducting the Appeal hearing. This person may be in addition to the three (3) member Appeal Review Committee and does not need to be an individual from the list described in Sections D.3.c and D.3.d.
10. The basis for the decision of the Appeals Review Committee shall be the records of the Applicant's initial consideration and survey interview; any follow-up reports; the evidence presented at the reconsideration hearing; and the transcript or summary of the reconsideration proceeding. Within thirty (30) days after the conclusion of the appeal review proceedings, the Chairman of the Appeal Review Committee shall notify the SSCC Governing Board of the Appeal Review Committee's decision, and

the SSCC Governing Board shall notify the Applicant. The decision of the Appellate Review Committee as to the accreditation status of the Applicant shall be final.

11. The expenses of the Appeal Review Board will be borne by the Applicant, and the Applicant must submit payment for the estimated Appeal costs as determined by the SSCC at its sole discretion at least fourteen (14) days prior to the hearing. If payment is not received by the due date: (a) the Applicant will have failed to comply with the 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 any witnesses or representatives who appear on behalf of or at the request of the Applicant in connection with the appeal review proceedings shall be the responsibility of the Applicant. The expenses of any witnesses or representatives who appear on behalf of the SSCC in connection with the appeal review proceedings shall be borne by the Southern States CME Collaborative.
12. The Applicant will not have a right to appear in person at the meeting of the Board of Directors of the SSCC Governing Board.

E. Right to Only One Reconsideration and Appellate Review

Notwithstanding any other provision of the SSCC Accreditation policies and procedures, no Applicant shall have the right to more than one (1) reconsideration of an Adverse Accreditation Decision or to more than one (1) appeal of an Adverse Reconsideration Decision.