

## **Accreditation Decision Appeals: Policy and Procedures**

If the decision of the GAB is to place a Program on conditional accreditation or to deny accreditation, TEPHINET notifies the program director or designated leader and the representative of the MOH unit or public health institution where the program is located. In the notice, a specific statement of reasons for the action is given, as well as information about the right to appeal.

The action will not be made public for 30 days after notification to the program. During that time (which begins on the date the program receives the GAB's decision letter) the program may file an appeal in writing and request an accreditation decision review.

If the Program does not file a written notice of appeal within 30 days, the GAB's decision becomes final and posted on the TEPHINET accreditation website.

### ***Grounds for Appeal***

The grounds for appeal are either or both of the following:

- 1) The GAB's decision was arbitrary or not based on the documentation and evidentiary provided by the program and assessed by the ART
- 2) The procedures used by the accreditation reviewers to develop their conclusions and recommendations to the GAB were not objective or contrary to accreditation policies and procedures or other established policies and practices, and procedural error prejudiced the GAB's decision

## **Instructions for Programs Submitting Appeals to Accreditation Decisions**

### ***The Program Bears the Burden of Proof on Appeal***

Programs might appeal an adverse accreditation decision within 30 days of its notification by submitting an Appeal Letter to the TEPHINET Secretariat.

### ***FETP Program Appeal Letter Should State the Following:***

1. The specific disagreement(s) with the rationale provided in the GAB Accreditation Decision Letter with supporting evidence and documentation provided for each argument
2. If the program documented its concerns or disagreements during any step of the accreditation process such as the interim assessment of its FETP Accreditation Report and/or the interim report of the accreditation site-visit and/or about conduct of the ART
3. If the program documented (on the Site Visit Feedback form) concerns or irregularities that occurred during the ART site visit
4. If the program contacted TEPHINET to report concerns or disagreements with the reports or the conduct of the ART

### ***TEPHINET Appeal Duties***

TEPHINET will address receipt and acceptance of Accreditation Appeal Letters within a week. The Secretariat will convene a special session of the GAB to review the FETP Appeal Letter.

### ***Appeals Committee***

A GAB appeal committee will consist of at least three members of the GAB who served on the initial accreditation GAB Committee. Each member of the committee is subject to TEPHINET's conflict of interest policy. Notification of the hearing will be made to all concerned parties.

The appellant program shall be notified of the composition of the appeals committee as soon as it is constituted.

Thereafter, the appeals committee might direct questions to and hear responses from the program. The program will also be permitted to make a closing statement.

### ***Appeal Review***

In reaching its decision, the committee will consider: 1) the record before the GAB at the time it made its decision; 2) the program's written appeal statement and documentation of complaints reported by the program during the accreditation

process; and 3) any presentation made by the program at the hearing as well as the program's responses to questions from the committee members.

Consistent with the standard for review on appeal, the appeals committee considers whether the decision was arbitrary or not supported by substantial evidence that existed in the record at the time of the GAB's decision, and whether the action of the GAB was in accordance with its established procedures. The committee will base its decision on conditions as they existed at the time of the GAB's decision and will not consider new evidence not before the GAB at the time of its decision.

The appeals committee, affirms, amends, or reverses the decision being appealed. If the committee affirms the decision, the decision becomes final at that time. If the AGBAC amends or reverses the decision, it must provide a detailed written explanation of its rationale. TEPHINET will implement the appeal committee's decision in a manner consistent with any directive of the committee and the accreditation procedures.

Implementation includes the ability to define the length of an accreditation term and any required reporting or other conditions. The accreditation term, required reporting, and any other conditions must be consistent with the appeal committee's written rationale. It is understood that committee decisions and recommendations will be final and will **not** otherwise—if adverse—preclude future program accreditation applications.

### ***Communication of the Appeal Review Outcome***

TEPHINET will send notification, including specific findings, of the appeal committee's decision to the program within 1 week of the hearing. If the committee upholds denial, the name of the program will be removed from the list of accredited FETPs and notification of the removal will appear on TEPHINET's website.

The program may terminate the appeal in writing at any time up until the decision of the GAB is rendered. In so doing, the program foregoes any right to reassert the appeal at a later date.