



IBHRE Certification Review and Appeals Policy

Purpose:

The purpose of this policy is to define the process by which appeals, grievances and complaints from exam applicants, candidates and certified professionals will be addressed and reviewed. Appeals may be applied to any decision made by the International Board of Heart Rhythm Examiners (IBHRE) as it applies to an applicant, candidate or a certified professional, including, without limitation, the following:

- *Declined exam application.
- *Failing score on an exam.
- *Denial or revocation of certification for any reason.
- *Action in response to a test center complaint.
- *Failure to meet Professional Development Activities requirements.

It is the goal and objective of this policy to uphold the standards and policies of IBHRE with respect to applicants, exam candidates and certified professionals, and to provide such persons with fair and objective due process in the event they disagree with decisions made by IBHRE.

Exam applicants, exam candidates and certified professionals who make claims pursuant to this policy are sometimes referred to in this policy as “appellants.”

Initiation of Appeal:

Applicants, exam candidates and certified professionals shall be entitled within forty-five (45) days after receipt of a decision by IBHRE with which they disagree (*i.e. refusal of application, notification of exam failure, denial or revocation of certification*), to file a written request for appeal. Except for re-score requests, which are addressed below, such request must be accompanied by a fee of \$150 (payable to IBHRE) to cover the administrative expenses of IBHRE and its Review and Appeals Committee in addressing the claim. All such requests must be in writing and, at a minimum, shall set forth in reasonable detail the facts and circumstances that the appellant believes support his or her claim and the reasons why the decision of IBHRE with respect to the appellant’s claim should be reversed or modified. Such request may be accompanied by a detailed memorandum or brief, together with other documentation in support of the appellant’s claim.

Requests to activate the review process must be sent to the attention of the Executive Director, IBHRE, 1325 G St NW, Suite 400, Washington, DC 20005, or by fax to 1-877-

386-1044, or email to info@ibhre.org. The Executive Director shall forward the appellant's claim to the Chair of the Review and Appeals Committee, and also inform the President of IBHRE regarding the claim. The Chair of the Review and Appeals Committee shall commence the appeal process in accordance with the procedures described below. The Executive Director shall promptly confirm to the appellant in writing that the claim has been received and is being processed.

Re-score requests shall be considered a separate category of appeal. Requests for an examination re-score must be accompanied by a fee of \$75 (payable to IBHRE). Re-scoring of examinations may be completed by IBHRE's psychometric vendor or other subcontractors involved in providing computer based testing on behalf of IBHRE. Re-score requests may take as many as forty-five (45) days from the receipt of request to furnish a response. If the appellant disagrees with the re-score, he or she may bring a separate appeal which shall follow the other procedures set forth in this policy.

Review and Appeals Committee (Composition and Authority):

The Board of Directors of IBHRE shall appoint a standing committee comprised of 5 individuals to review claims brought by appellants. This committee shall be referred to as the Review and Appeals Committee.

Composition

The Review and Appeals Committee shall consist of two representatives of the Cardiac Electrophysiology Test Writing Committee—the committee chair and one appointed member from that committee, and two representatives of the Cardiac Pacing Test Writing Committee—one committee chair and one appointed member of that committee. Additionally, a Chair of the Review and Appeals Committee shall be duly appointed by the Board of Directors to serve as the head of the Review and Appeals Committee and as liaison between the Board of Directors of IBHRE and the Review and Appeals Committee. At least one member of the Review and Appeals Committee shall at all times be a member of the Board of Directors of IBHRE.

Conflicts of Interest

Each member of the Review and Appeals Committee shall be required to certify in writing with respect to each claim, that he or she does not have a conflict of interest with regard to that claim. In the event that a member or members of the Review and Appeals Committee does have a conflict, based upon the facts or circumstances of the claim, including employment or other affiliations of the appellant, then the Board of Directors in conjunction with the acting Chair of the Review and Appeals Committee shall select a substitute member or members to hear and decide upon that claim.

Authority

The Review and Appeals Committee shall act by majority vote. Absent manifest error, arbitrariness or capriciousness in rendering a decision, or failure to follow sanctioned appeals procedures, all as determined by the Board of Directors of IBHRE in their discretion, the decisions of the Review and Appeals Committee shall be final and binding on the appellant and IBHRE.

Appeals Process and Procedures

Receipt of Claim

Upon receipt of a claim by an appellant, the Executive Director shall inform the IBHRE President and notify the Chair of the Appeals Committee, providing each of them with the written materials submitted by the appellant. The Chair of the Appeals Committee shall notify the other members of the Review and Appeals Committee, and shall forward to them the written information submitted by the appellant. Each member of the Review and Appeals Committee shall determine that no conflict of interest exists with respect to the appellant or the claim. The appellant shall be notified that the claim has been received and processed, and the appellant shall have fifteen (15) days from the date of such notice to protest any member of the Review and Appeals Committee being involved in deciding upon the claim. The President of IBHRE shall make the determination regarding the validity of such protest made by an appellant.

Timeframe

The deliberations of the Review and Appeals Committee, and any hearing with respect to the matter shall take place within ninety (90) days following receipt by IBHRE of the appellant's written claim. The final determination of the Review and Appeals Committee and its written decision shall be completed within thirty (30) days following its determination or the completion of the hearing, as the case may be.

Additional Information

Within thirty (30) days of receipt of appellant's initial claim, the Chair of the Review and Appeals Committee may request additional information regarding the claim from either the appellant or from IBHRE, its agents and representatives. All parties (including the Executive Director) involved with the claim shall be notified regarding any requests for additional information, and all parties, including the appellant, shall be entitled to receive copies of all such information supplied to the Review and Appeals Committee in connection with the claim. Similarly, the appellant shall be permitted to provide the Review and Appeals Committee with written memoranda or briefs, and supplementary documentation, supporting his or her claim.

Nature of Determination; Request for Hearing

The Review and Appeals Committee shall consider the claim by the appellant, but with due deference to the original determination made by IBHRE in accordance with its policies. In reaching its determination, the Review and Appeals Committee shall act by majority vote and, at their election, may process the appeal as follows:

- (i) By internal review of the written statements and materials supplied to them. The Review and Appeals Committee may convene in person, by conference telephone or through other electronic means including e-mail, web based extranet or video conferencing as they determine in their reasonable discretion.

- (ii) The Review and Appeals Committee may determine to meet with the appellant or any other person involved with the claim on an ex parte basis at any time during the review process with reasonable advance notice. Based upon any such meetings, the Review and Appeals Committee may also make requests for additional information from any person, including the appellant, throughout the determination process, provided that such information is shared with the appellant and the appellant is afforded a reasonable period of time to respond to such additional information.
- (iii) Either the Review and Appeals Committee or the appellant may request that a formal hearing be held with respect to the claim. In such event a reasonable convenient date and location (including the offices of IBHRE) shall be mutually selected by the parties for the hearing. Either party shall have the right to be represented by another person, including legal counsel, at its or their own expense. In the event that the appellant requests such a hearing, an additional fee of \$500 (payable to IBHRE) will be required from the appellant to defray the travel and other costs for the members of the Review and Appeals Committee to participate in the hearing. Such hearing may also be held by telephone or video conference, provided that all parties can hear each other, question and cross examine witnesses, and otherwise have available to them and evaluate on a real time basis all written evidence provided for the hearing. Procedural matters, including the amount and nature of evidence presented, shall be in the reasonable discretion of the Chair of the Review and Appeals Committee, who shall be guided by fairness, objectivity and practicality. A staff member of IBHRE may also be present to keep an accurate record of the proceedings.

Confidentiality

THE PROCEEDINGS OF ANY CLAIM BROUGHT BEFORE THE REVIEW AND APPEALS COMMITTEE, AND THE RECORD CREATED THEREBY, MUST BE KEPT STRICTLY CONFIDENTIAL BY ALL PARTIES, INCLUDING, WITHOUT LIMITATION, THE APPELLANT, THE MEMBERS OF THE REVIEW AND APPEALS COMMITTEE AND REPRESENTATIVES OF IBHRE WHO HAVE REASON TO BE INFORMED OF THE CLAIM AND RELATED PROCEEDINGS.

Decisions

Decisions regarding claims shall require a majority vote of the Review and Appeals Committee. All decisions of the Review and Appeals Committee shall be submitted in writing from the Chair of the Review and Appeals Committee, set forth in reasonable detail the basis for the decision of the Review and Appeals Committee and be provided to both the appellant and the Board of Directors of IBHRE, with a copy provided to the President and Executive Director. Such decisions may: (i) uphold the original decision of IBHRE in respect of the matter; (ii) remand the matter to IBHRE with instructions to further review and re-process the matter; (iii) modify in whole or in part the original decision of IBHRE; or (iv) reverse the original decision of IBHRE and substitute

therefore its own decision. The decision of the Review and Appeals Committee shall be final and binding upon the parties, subject only to limited review by the Board of Directors of IBHRE in accordance with the following section.

Final Review by Board of Directors of IBHRE

If, within thirty (30) days following receipt of a written decision by the Review and Appeals Committee, the appellant believes that such decision represents manifest error, arbitrariness or capriciousness on the part of the Review and Appeals Committee, or that the Review and Appeals Committee did not properly follow the processes and procedures set forth in this policy, then in a written statement to the Board of Directors, setting forth in reasonable detail the basis for such claim, the appellant may request further review of the decision by the Board of Directors of IBHRE. In turn, within forty-five (45) days of receiving such request, the Board of Directors of IBHRE, shall (i) determine whether or not to consider such request; (ii) make a determination upon the request; and (iii) inform the appellant of its decision in writing. The determination of the Board of Directors of IBHRE shall be final and binding upon all parties.

Additional Responsibilities of the Review and Appeals Committee

The Chair of the Review and Appeals Committee may informally review questions or concerns brought forward by IBHRE staff regarding any issue or discrepancy which may arise on an application. The Chair may refer the question or concern to any other member of the Review and Appeals Committee as it pertains to their respective certification scheme for further deliberation. The Chair will be responsible for communicating any decision or point of clarification resulting from the deliberation to the IBHRE staff. Should a need for policy change result from such deliberations, the Chair will be responsible for reporting the proposed change to the Board of Directors. All changes in policy shall require action by the Board of Directors of IBHRE.

7.18.2017