

## **Commission for Certification in Geriatric Pharmacy Appeals Policy and Procedure**

### **A. Introduction and Overview**

1. The Commission for Certification in Geriatric Pharmacy (CCGP) provides a multi-level appeals process for resolution of any questions or complaints concerning an action or decision of CCGP. The process is available for any individual who feels aggrieved by an action or a decision of CCGP.
2. The process includes both a reconsideration review procedure that is handled by CCGP and an appeals procedure that is handled by the Ethics and Grievance Committee. Any interested party may request a reconsideration of any action or decision of CCGP that adversely affects that individual. If, after reconsideration by CCGP, the adverse action is reaffirmed by CCGP, or the action is not otherwise resolved to the satisfaction of the interested party, then the same interested party may file an appeal that will be considered by the Ethics and Grievance Committee. In the interest of achieving resolution of conflicts as expeditiously and efficiently as possible, it is necessary to proceed through the reconsideration process before initiating the appeal process.
3. It is the intent of CCGP in establishing this multi-level process to provide individuals with an expeditious, cost effective and fair process to review actions and decisions of CCGP.
4. All actions and decisions of CCGP shall be final unless either the reconsideration request or the appeal is filed in a timely manner as set forth herein by the interested party affected by the action or decision of CCGP.

### **B. Procedures for Requests for Reconsideration**

1. Any interested party may request a reconsideration of any action or decision of CCGP that adversely affects that party.
2. Requests for reconsideration shall be made in writing to:  
Commission for Certification in Geriatric Pharmacy  
c/o Executive Director  
1321 Duke Street  
Alexandria, VA 22314
3. Requests for reconsideration must be filed with CCGP within sixty (60) days following notice of the action or decision by CCGP. It is the burden of the party requesting reconsideration to ensure the request is filed in a timely manner.
4. Requests for reconsideration must contain the following:

- a. A description of the action or decision being reviewed;
  - b. The date of the action or decision being reviewed;
  - c. The reasons the action or decision is alleged to be improper or inappropriate or erroneous;
  - d. All new, previously unavailable relevant material supporting the reconsideration request;
  - e. The corrective action sought; and
  - f. Copies of relevant documentation.
5. Requests for reconsideration shall be acted upon by CCGP within sixty (60) days of the receipt of the request for reconsideration and a written response shall be sent to the interested party requesting reconsideration within that time period. For good cause, CCGP may extend this time period an additional thirty (30) days provided written notice is provided to the interested party.
  6. In deciding upon the request for reconsideration, CCGP shall affirm, modify or reverse its original decision. If CCGP finds for the interested party, CCGP shall notify the interested party that the reconsideration has been completed, that the original decision has been reversed and that the remedy requested by the interested party has been granted. If CCGP affirms or modifies the original decision or if CCGP otherwise does not agree to implement the corrective action sought by the interested party, CCGP shall notify the interested party of its decision and the reasons for its decision. In such a case, CCGP shall also advise the interested party of the appeal procedure.
  7. All decisions of CCGP on reconsideration requests shall be by majority vote of current members of the CCGP Board of Commissioners, unless the CCGP Bylaws or governing documents require a higher percentage. Votes may be cast by mail, by fax, by telephone or in person, unless the CCGP governing documents require a different procedure.

**C. Procedures for Appeals**

1. Any interested party may file a notice of appeal of any action or decision of CCGP if it adversely affects that party, if the reconsideration process (described above) did not result in a satisfactory outcome.
2. Notices of appeal shall be made in writing to:  
Commission for Certification in Geriatric Pharmacy  
c/o Executive Director  
1321 Duke Street  
Alexandria, VA 22314
3. Notice of appeal must be filed within sixty (60) days following the date

of the notice from CCGP taking final action on the request for reconsideration. It is the burden of the party filing the notice of appeal to ensure that it is filed in a timely manner.

4. Notices of appeal must contain the following:
  - A description of the action or decision being appealed
  - The date of the action or decision being appealed; and
  - General grounds for the appeal
5. Within thirty (30) days of receiving the notice of appeal, CCGP shall forward the notice of appeal to the Ethics and Grievance Committee.
6. Once the Ethics and Grievance Committee has received the notice, CCGP will notify the appellant that the appellant has sixty (60) days from the date of this notification to submit its appeal to CCGP. It is the burden of the interested party to ensure that the appeal is filed in a timely manner.
7. The appeal must contain the following:
  - a. Five sealed copies of appeal material;
  - b. A description of the action or decision being appealed;
  - c. Specific grounds for the appeal; and
  - d. Specific reasons supporting the appeal.

No new evidence will be presented by the appellant or heard by the Ethics and Grievance Committee unless the appellant shows good cause why such evidence was not previously submitted.

8. The Ethics and Grievance Committee shall act upon the appeal within sixty (60) days of the receipt of the timely filed appeal and a written response shall be sent to the appellant within that time period. For good cause, the Ethics and Grievance Committee may extend this time period an additional thirty (30) days provided written notice is provided to the appellant and to CCGP.
9. In deciding upon the appeal, the Ethics and Grievance Committee shall affirm the action or decision of CCGP unless an action or decision was clearly erroneous.
10. In deciding upon the appeal, the Ethics and Grievance Committee shall either affirm the action or decision of CCGP or grant the appeal in whole or in part and remand the matter back to CCGP with recommendations for further action. If the Ethics and Grievance Committee grants the appeal, the appellant shall be provided with a copy of the decision and the remand order sent to CCGP. If the Ethics and Grievance Committee

affirms the action or decision of CCGP, the Committee shall notify the appellant and CCGP of its decision and the reason for its decision.

12. All decisions of the Ethics and Grievance Committee shall be by majority vote of current members of the Committee eligible to vote on the request. Votes may be cast by mail, by fax, by telephone or in person.
13. All decisions of the Ethics & Grievance Committee are final and binding upon the appellant and CCGP.