

NORTHCARE NETWORK

POLICY TITLE: Appeal Process for Compliance Decisions	CATEGORY: Compliance	
EFFECTIVE DATE: 5/8/13	BOARD APPROVAL DATE: 5/8/13	
REVIEW DATE: 6/10/22	REVISION(S) TO POLICY STATEMENT: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	OTHER REVISION(S): <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
RESPONSIBLE PARTY: Compliance Officer	CEO APPROVAL DATE: 7/12/22 Dr. Tim Kangas, CEO	

APPLIES TO

NorthCare Network Personnel
Network Providers

POLICY

An individual or the CEO of an organization, under review or investigation under the auspice of NorthCare Network's Compliance Office, shall have an opportunity to appeal certain decisions made by requesting a reconsideration of findings. This policy outlines decisions, which may be appealed, and the procedure for appeal.

PURPOSE

The purpose of this policy is to provide an avenue for a reconsideration of findings. NorthCare Network recognizes that information submitted in the course of a compliance review and/or investigation may be left up to interpretation or that all pertinent information may not be available at the time of original report or review/investigation. In an attempt to be transparent and objective in situations that are not always clear, this policy provides an avenue for those being reviewed, audited or investigated an opportunity to voice their interpretation of potentially confusing program and regulatory requirements; and to give a final and time limited opportunity to provide information that, for some reason, may not have been readily available or provided at the time of the audit or investigation.

DEFINITIONS

N/A

REFERENCES

NorthCare Network Compliance Plan and Policies, as applicable.

HISTORY

REVISION DATE: 3/18/14, 10/19/16, 8/9/17, 5/23/18, 3/25/19, 12/11/19

REVIEW DATE: 5/8/13, 3/18/14, 3/3/15, 1/27/16, 10/19/16, 8/9/17, 5/23/18, 3/25/19, 12/11/19, 10/21/20, 8/23/21, 6/10/22

CEO APPROVAL DATE: 5/8/13, 3/18/14, 3/3/15, 2/9/16, 11/1/16, 9/12/17, 6/5/18, 4/1/19, 1/7/20, 11/3/20, 9/7/21, 7/12/22

BOARD APPROVAL DATE: 5/8/13

PROCEDURES

A. Decisions That May Be Appealed:

The following decisions may be appealed to the NorthCare Network Compliance Oversight and Risk Management Committee (CORMC):

1. A final determination made by NorthCare Network that noncompliance has occurred that requires corrective action.
2. A final determination made by NorthCare Network that a corrective action plan submitted by a Network Provider is not acceptable.

B. Procedure for Appeal:

1. Upon receipt of notice of noncompliance and/or request for corrective action or that the corrective action plan is not acceptable; the individual/CEO shall have fifteen (15) business days to appeal the decision to NorthCare Network's CORMC.
2. The appeal shall be made in writing and submitted to NorthCare Network's CEO or Compliance Officer.
3. Written appeals not received by NorthCare Network's CEO or Compliance Officer, within fifteen (15) business days of the notice shall be deemed untimely and will not be considered.
4. The notice of appeal must contain a description of the relevant facts, who has requested the appeal, and a detailed explanation of the reason for the appeal.
5. Upon timely receipt, the appeal shall be considered at the next regular scheduled CORMC meeting. An earlier meeting may be called if the CORMC deems necessary.
6. Prior to the meeting at which the appeal is to be considered, the individual or organization may submit all documentation or materials supporting their appeal. The individual/CEO may also request the opportunity to appear at the meeting to present their position on the matter. All requests to appear shall be granted unless there is concern for one's safety.
7. In the event the individual/CEO is a member of the CORMC, their role as the person requesting an appeal shall supersede their role as a CORMC deliberating and voting member.

8. The NorthCare Network CEO/Compliance Officer may enlist an independent CEO/Compliance Officer to serve as the CEO/Compliance Officer CORMC representative for the appeal.

C. Conduct of Meeting:

The CORMC shall consider all evidence presented when deciding an appeal. It may also request the presence of the individual/CEO at the meeting to answer questions and provide additional information. NorthCare Network's legal counsel may participate in the CORMC meetings in which an appeal is heard and considered.

1. Record: The appeal, and any documentation submitted by any party or other materials relied on by the committee in making its determination, shall become a part of the meeting minutes. The committee shall document, in the meeting minutes, the discussions and testimony pertaining to the appeal. The committee shall not be required to record or transcribe oral evidence or require witnesses to testify under oath.
2. Confidentiality: The record, which is composed of the meeting minutes and all the evidence, shall be considered confidential information.
3. Decision: At the conclusion of the meeting, a decision shall be rendered by the committee. The decision shall be communicated in writing within ten (10) business days after the meeting to the individual/CEO. The decision by the CORMC shall be final.