# Reconsideration and Appeal Procedure for HEC-C Renewal

Effective date: January 26, 2021

Revised date:

The reconsideration and appeal procedure is a two-step process available to individual certificants who wish to contest a decision made by the HCEC Certification Commission (“the Commission”). All requests must first go through reconsideration prior to the second stage of appeal. A certificant who does not file a request for reconsideration and appeal within the required time limit shall waive the right to reconsideration and appeal.

1. **Reconsideration**
	1. A request for reconsideration shall be filed in writing by the certificant with the Commission within 30 days following the date on which the adverse decision was mailed to the certificant. The request for reconsideration shall state the reasons why the decision is being contested. No oral argument shall be permitted before the Commission.
	2. As soon as practicable following receipt of a request for reconsideration, the Commission shall review the request at a meeting or, at the option of the Commission, by telephone conference call, or other means. The Commission may decide to uphold its original decision or it may take such action as it deems appropriate with regard to the request for reconsideration.
	3. The certificant shall be notified in writing of the decision of the Commission by letter postmarked no later than 14 days following the date of the review. If an earlier denial or revocation decision is reversed, certification shall be reinstated retroactive to the immediate past expiration date. The notice shall include a statement of the Commission's findings and the rationale for the decision.
2. **Appeal**
	1. An appeal shall be filed in writing by the certificant to the Commission within 30 days following the date on which the adverse decision on the request for reconsideration was mailed to the certificant. The appeal shall state the reasons why the decision is being contested.
	2. Following receipt of an appeal, the Commission shall appoint the Appeals Panel and shall submit a written statement to the appeals panel, setting forth its position with regard to the appeal including reasons why the decision of the Commission should be sustained.
	3. The appeals panel shall be appointed as needed by the Commission and shall consist of not less than three nor more than five healthcare ethics consultants, none of whom currently serve on the Commission. One member shall be a former ASBH board member and one member shall be a non-HEC-C. When possible, one member shall be a former Commission member. Appointed panel members will have been vetted to eliminate conflicts of interest with the certificant (e.g. members of the panel will not have any past or current affiliation with certificant’s institution(s). The appeals panel has full and final authority to deny, revoke, or reinstate HEC-C certification. Within 60 days following receipt of the appeal, the appeals panel shall treat the appeal at a meeting, telephone conference call, or other means. The certificant will have the opportunity to present his or her case at the appeals panel meeting. The certificant and the Commission shall be notified in writing of the decision of the appeals panel by letter postmarked no later than 14 days following the date on which the appeal was treated.
3. **Expenses**

Any expenses incurred by the certificant for appeal shall be the responsibility of the individual certificant, even in the event that the appeal is successful and certification is earned/reinstated.

1. **Limitations to the right of reconsideration or appeal**

The candidate does not have the right to challenge the following

* 1. What constitutes a passing point set by the Commission.
	2. A candidate’s failure to submit a completed application by the published deadline.
	3. A candidate’s failure to comply with the audit requirements.
1. **Denial or revocation**

Applications for certification may be denied or certification revoked for any of the following reasons:

* 1. Failure to submit a completed application by the deadline
	2. Failure to supply additional requested information by the established deadline
	3. Falsification of application materials
	4. Misrepresentation by a certificant
	5. Misuse of the HEC-C credential