

CCAPP CREDENTIALING Ethics Complaint Procedure

Whenever an individual becomes aware of a potential ethical violation involving a CCAPP Credentialing licensed, certified or registered individual, (see CCAPP code of Conduct) a complaint **MUST** be filed directly with CCAPP Credentialing office.

I. COMPLAINT PROCEDURE

- A. Complete ethical complaint form, available online or upon request from the CCAPP Credentialing office
- B. Completed CCAPP Ethical Violation form must be submitted directly to the CCAPP Credentialing office
 1. Email –
 2. Mail –

II. PROCESSING COMPLAINTS

- A. Upon receiving a completed CCAPP Credentialing complaint form, the CCAPP Credentialing office will date/time stamp complaint and have seven (7) business days to:
 1. Open an internal ethics investigation file
 2. Forward complaint to the CCAPP Credentialing Ethics Committee Chair
 3. Notify DHCS
 4. Notify the complainant of receipt
- B. Within **seven (7)** business days, via regular and registered mail, CCAPP Credentialing office staff will notify the Licensed, Certified or Registered individual (hereinafter “Respondent” of the pending ethics violation.
- C. Upon review, the CCAPP Credentialing Ethics Chair will open an investigation:
 1. The CCAPP Credentialing Ethics Chair will appoint an investigation committee comprised of no less than two (3) voting members of the California Consortium of Addiction Programs and Professionals (CCAPP) who are in good standing, and who have no history of ethical violations. Each case will be assigned to an investigator.
 2. Within **30 days** of the case assignment date, the investigator will conduct all necessary face-to-face and telephonic interviews with all individuals related to the claim, including people named in the claim, employers, and witnesses, and submit their written findings to the CCAPP Credentialing office and/or Ethics Chair.
 3. Upon receipt of the investigation report, the Ethics Chair will call a telephonic Ethics Committee meeting to discuss the findings of the investigator and determine any sanctions according to the established consequence matrix.

- D. Upon Completion of the Ethics Committee Meeting, the Ethics Chair and/or CCAPP Credentialing office staff will notify the CCAPP Credentialing Board Chair and the CCAPP Credentialing office of their findings and recommendations
- E. Within **120 days** from the original complaint date:
 - 1. The CCAPP Credentialing office and/or the Credentialing Board Chair, using a recognized overnight carrier such as UPS or Federal Express, or the United States Post Office Priority Mail with tracking, will notify the Respondent of the investigation findings and the Ethics Committee's decision.
 - 2. CCAPP Credentialing office and/or Credentialing Board Chair will notify the employer of suspension sanctions
 - 3. CCAPP Credentialing office and/or Credentialing Board Chair will provide notification to the complainant. Correspondence is limited due to reasons of confidentiality.
 - 4. Any extensions to this timeline must be documented.

III. APPEAL PROCESS

- A. The Respondent may appeal the final Ethics Committee decision (as ratified by the CCAPP Credentialing Chair) (hereinafter "the Decision") according to the "Appeal Process" as outlined below. The Respondent who files an appeal is referred to as the "Appellant."
 - 1. The Appellant must submit a written request for an appeal to the CCAPP Credentialing office within **thirty (30) days** from the date of the decision.
 - 2. Upon receipt of an appeal request, the CCAPP Credentialing Chair shall appoint an Appeals Panel to review the decision. The members of the Appeals Panel shall be voting members of CCAPP who were not part of the original Ethics Committee.
 - 3. When hearing the appeal, the Appeals Panel may take any of the following actions:
 - a) Uphold the decision of the Ethics Committee's decision as ratified by the Certification Board Chair;
 - b) Rule that the Ethics Committee's decision is valid, yet impose a lesser/greater form of censure;
 - c) Overrule the Ethics Committee's decision, while still affirming the validity of the process;

- d) The appeal process is for individuals who were denied registration/certification, for those denied certification/registration renewal, for individuals whose certification was suspended or revoked, or for any other ruling as made by the Ethics Committee and ratified by the CCAPP Credentialing Chair.
4. The purpose of appeal is solely to determine if the Ethics Committee has accurately and adequately reviewed the Appellant's complaint as per the aforementioned procedures and rendered a reasonable decision.
5. Within **thirty (30) days** The CCAPP Chair or his/her designate, shall transmit the appeal request to the appointed Appeals Panel, which shall conduct a formal appeals hearing.
 - a) The Appeals Panel shall schedule a hearing to occur within **ninety (90) days** of the receipt of the appeal request.
 - b) Notification of the time, place and date of the Appeals Panel hearing shall be sent to the Appellant via any method reasonably calculated to reach the Appellant, including email, fax, postal service, delivery service or other like services), not less than **thirty (30) days** prior to the hearing date.
 - c) The Appellant has the right to appear at the hearing, has the right to counsel, and has the right to have witnesses present. (Legal counsel for the Appellant, if any, is not allowed to speak on behalf of the Appellant, but may be present to advise his/her client.)
 - d) The Appellant may choose to submit written testimony in lieu of his/her presence at the hearing; written testimony must be submitted at least five days prior to the hearing date. Failure to show up for the hearing or provide timely written testimony will automatically result in the appeal being dismissed and the Ethics Committee's determination being upheld.
 - e) The Appeals Panel decision shall be made by majority vote. The Appeals Panel shall have **ninety (90) days** from the date it receives the appeal request to make a final decision. The Appellant shall be notified in writing of the Appeal Panel's decision within **fifteen (15) days** after the final decision. The findings and decision of the Appeals Panel are final.
6. An individual's certification status (suspension/revocation/sanctions etc.) will be posted on the public database (website registry); and will be posted until all sanctions are satisfactorily completed and submitted in writing and verified (if applicable.)

7. In compliance with state regulations and CCAPP Credentialing policies, all complaints filed under these procedures are publicly documented on the database (website) as “pending” until such time the case is resolved and/or decided upon; at such time the status of the certificant/registrant will be listed. Additionally, employers may be contacted per regulations as well. All certificants/registrants are required to cooperate as a condition of certification/registration. Failure to cooperate may result in immediate suspension of certification or registration, with no ability to appeal. Additionally, all registrants and certificants are required to comply with all state regulations including any adopted code of conduct.

IV. DEFINITIONS

EMERGENCY REPORT/ACTION:

An “emergency report/action” is identified as an “egregious” act listed on the CCCO’s Sanctions Matrix as being one that requires revocation or denial of initial license/certification/registration. Upon notification of Ethics Chair, “Pending Administrative Review will be placed on registry until resolved, and the licensee/certificant/registrant will be limited to only perform non-counseling duties at his/her employment.

DEFINITION OF SUSPEND:

To temporarily remove from active status, may be returned after a completion of required sanctions timed and tasked.

DEFINITION OF REVOKED:

Revocation of license/certification/registration is permanent, for lifetime.