

What is the Disciplinary and Appeals Policy?

1. Disciplinary Policy

Any AHIMA certified individuals or any candidates seeking an AHIMA certification or recertification may be subject to disciplinary review based on suspicious behavior, fraudulent credentials, or legal, regulatory, and credentialing actions, as described below.

A. Suspicious Behavior

Any individual who appears to have engaged in cheating, or other dishonest or irregular behavior, or who appears to have otherwise violated the security of an examination, may be subject to disciplinary action, including, but not limited to, denial or revocation of certification or recertification and/or eligibility for future certification or recertification. Any individual who appears to have engaged in such improper behavior may also be subject to legal action. Suspicious behaviors that require further investigation by AHIMA Certification staff include (but not limited to) individuals who/whom:

- a. appear to give or receive examination assistance from other candidates
- b. appear to be removing or attempting to remove materials or exam content from the test center
- c. reproduces, distributes, displays, or otherwise misuses a test question or any part of a test question from an examination (or assists another individual)
- d. obtains, attempts to obtain (or assists another person to obtain or attempt to obtain) eligibility, certification, or recertification by deceptive or other inappropriate means
- e. submit (or assist another individual to submit) to CCHIIM any document that contains a material misstatement or omission of fact
- f. refuse to comply with the CCHIIM audit process for certification or recertification

B. Fraudulent Credentials

Any individual who manufactures, modifies, reproduces, distributes, or uses a fraudulent or otherwise unauthorized AHIMA designation, certificate, or other document, or other health professional designation or document; otherwise falsely claims to be certified or recertified by AHIMA; or assists another individual to do any of the above, may be subject to disciplinary action, including but not limited to, denial or revocation of certification or recertification and/or eligibility for future certification or recertification. Any individual who appears to have engaged in such irregular behavior may also be subject to legal action.

C. Legal, Regulatory, or Certification Action

1. Automatic Revocation

CCHIIM will automatically deny or revoke an individual's certification or recertification and/or eligibility for future certification or recertification if CCHIIM determines that the individual is the subject of any of the following:

- a. Adjudication that the individual is mentally incompetent.
- b. Conviction of or pleading no contest to a felony that, in the view of CCHIIM, is related to health informatics and information management (HIIM) practice.
- c. Violation of a regulatory or credentialing agency's order that, in the view of the CCHIIM, is related to HIIM practice.

2. Discretionary Denial, Revocation, Censure, or Concern

CCHIIM may, at its discretion, deny or revoke an individual's certification or recertification and/or eligibility for future certification or recertification; issue a Letter of Censure; issue a Letter of Concern; and/or take such other actions as may be deemed appropriate if CCHIIM determines that the individual is the subject of any of the following:

- a. Conviction of or pleading no contest to a felony that in the view of CCHIIM is a non-HIIM related offence.
- b. Documented evidence of gross incompetence, or unprofessional, or unethical conduct.
- c. Violation of the *AHIMA Code of Ethics*.

2. Disciplinary Process

If it comes to the attention of CCHIIM and/or the AHIMA Certification staff that an individual may have engaged in suspicious behavior, manufactured or utilized fraudulent credentials, or otherwise falsely claimed to be certified or recertified, or was the subject of a legal, regulatory, or credentialing action that warrants review under Section I. C., the CCHIIM Review Panel ("CRP") shall make a reasonable effort to determine the facts of the matter.

A. CCHIIM Review Panel (CRP) Composition

The CRP shall consist of three (3) non-executive CCHIIM commissioners, including the CRP Chair who shall be appointed by the CCHIIM Chair with the approval of the majority of the CCHIIM, two volunteer CCHIIM commissioners, and a member of the certification department. CCHIIM commissioners shall not participate in discussions of, or vote on, any review or appeal in which

the CCHIIM or any CCHIIM commissioner have or have had a substantial personal or professional relationship with the individual.

B. Notification and Investigation of Possible Disciplinary Matter

All individuals who are the subject of a complaint and under investigation are sent a notice of investigation by the CRP allowing the individual to provide additional information about the matter at issue within thirty (30) calendar days.

C. Disciplinary Review and Action

1. After providing the subject of a complaint thirty (30) days to submit additional information, the investigation will be completed by AHIMA Certification staff, the CRP shall review the allegations that an individual may have engaged in irregular behavior, manufactured or utilized fraudulent credentials, or otherwise made a false claim for certification or recertification, or was the subject of a legal, regulatory, or certification action.
2. If the CRP determines that no action should be taken, the matter shall be closed. However, CCHIIM will retain a record of the background information provided in the individual's file and will refer to this record should any disciplinary matters arise in the future.
3. Based on the available facts, the CRP shall determine what, if any, disciplinary action is warranted. In the case of a reportable disciplinary action, the CRP shall also determine whether the disciplinary action should be permanent, for a specified time period, or continue until one or more specified events have taken place.
4. If the CRP recommends that a disciplinary action should be taken, the CRP shall issue a written notice of recommended adverse decision to the individual. The notice, which may be discussed with CCHIIM during its next scheduled meeting, will describe (a) the basis for disciplinary review, (b) the applicable section of CCHIIM's Disciplinary Policy, and (c) the disciplinary action recommended in the matter. In the case of a disciplinary action, the notice shall also inform the individual that he or she may accept the disciplinary action, or, within 30 calendar days, may submit to the CRP a written appeal to the disciplinary action in accordance with Section V. B below. Failure to submit a written appeal implies acceptance of the disciplinary action.
5. If the individual does not submit a written appeal within 30 calendar days of the date on the notification communication, the decision of the CRP shall become the final decision of CCHIIM on the matter.

D. No Disciplinary Actions

1. If there was no disciplinary action required, the CRP may recommend that CCHIIM issue a Letter of Concern. A Letter of Concern will not be reported to third parties but will be retained in the individual's confidential file and may be revisited by CCHIIM if any disciplinary matters arise in the future.

Issuance of a Letter of Concern is not subject to appeal.

E. Disciplinary Actions:

- If the circumstances require revocation, the CRP shall recommend that CCHIIM revoke the respondent's certification or recertification and/or eligibility for future certification or recertification.
- If circumstances do not require revocation, the CRP and/or CCHIIM has the option to recommend that one or more of the following disciplinary actions be taken
 - issue a letter of censure;
 - order the respondent to retake an examination at a time and place and in a format to be determined by CCHIIM;
 - refuse to release the score of the individual and, thereby, deny his or her current application for certification or recertification;
 - require the individual to wait a specified period of time determined solely by CCHIIM, before reapplying to take any CCHIIM examination;
 - deny or revoke the respondent's certification or recertification and/or eligibility for future certification or recertification;
 - assess a disciplinary fine; or
 - take a combination of any of the above actions or such other action that CCHIIM deems appropriate in the particular circumstances before it.

The CRP also has the option to recommend to AHIMA that legal action should be taken.

3. Request for Reconsideration Policy and Process

An individual may request for reconsideration an adverse decision regarding an individual's application for certification, recertification, or a disciplinary decision. A request for reconsideration must be in writing and postmarked within ninety (90) calendar days of the adverse certification decision. Any requests for consideration submitted after ninety (90) days will not be accepted.

The request for reconsideration must contain a statement indicating why the individual believes the adverse decision was improper; must include any supporting documentation that the individual wishes to have considered as part of the reconsideration; and must be accompanied by a request for reconsideration fee of \$100.00. The fee will be collected within 48 business hours. All expenses incurred and arrangements necessary in connection with the request for reconsideration shall be the

responsibility of the individual. The reconsideration fee is collected as the AHIMA Certification staff must individually work with the candidate on gathering their documentation/support. The reconsideration fee may be waived at the Certification staff's discretion based off candidate extenuating circumstances.

A. Request for Reconsideration: CCHIIM Review Panel (CRP) Composition

The CRP shall consist of three (3) non-executive CCHIIM commissioners, including the CRP Chair who shall be appointed by CCHIIM Chair with the approval of the majority of the full commission, two volunteer CCHIIM commissioners, and a member of the certification department. CCHIIM commissioners shall not participate in discussions of, or vote on, any review or appeal in which the CCHIIM or any CCHIIM commissioner have or have had a substantial personal or professional relationship with the individual.

B. CRP Request for Reconsideration Review and Decision

- The CCHIIM Review Panel ("CRP") shall make a reasonable effort to determine the facts of the matter.
- If the CRP makes the decision to uphold the certification decision, the appellant shall be notified, and the matter shall be closed.
- If the CRP determines that objective evidence submitted by the appellant is sufficient, the CRP may reverse the certification decision. The appellant shall be notified of the decision and specific terms established by the CRP within thirty (30) calendar days after the CRP reaches its decision.

4. Appeal Policy and Process

An individual may appeal the CRP's decision. If a Request for Appeal is not postmarked within thirty (30) calendar days after the date of the notice of the CRP's decision, the CRP's decision shall constitute the final decision of CCHIIM on the matter and shall not be subject to appeal absent extraordinary circumstances, as determined solely by CCHIIM.

If a request for appeal meets the (30) calendar days, the individual must submit **NEW** information (supporting documentation) for consideration to the CEC along with a new appeal application. All expenses incurred and arrangements necessary in connection with the appeal shall be the responsibility of the individual. (Any appeals submitted after 30 days will not be accepted.)

A. Request for Appeal: CCHIIM Executive Committee (CEC) Composition

The CCHIIM Executive Committee ("CEC") will consist of the Chair, Chair-Elect and Past Chair. CCHIIM commissioners shall not participate in discussions of, or vote on, any review or appeal in

which the CCHIIM commissioners have or have had a substantial personal or professional relationship with the individual.

B. Grounds for Appeal

Grounds for Appeal:

1. Denial of eligibility, certification, or recertification (based on a failure to submit evidence) and for non-disciplinary reasons.
2. Proscribed behavior before, during or after an examination or at any time after certification or recertification is granted.
3. Manufacture or use of fraudulent CCHIIM credentials.
4. False claim of certification or recertification.
5. Legal, regulatory, or credentialing action.

*These situations are appealable only if an individual can show that the specific conditions required for automatic denial or revocation have not been met.

Documentation must demonstrate individuals have met the requirements.

Applicants may NOT APPEAL a decision based on:

1. A Respondent's failure to meet the eligibility requirements for certification.
2. A candidate cannot appeal a recertification decision if they fail to meet the documentation required outlined in the recertification guide. Unacceptable documentation include, but are not limited to:
 - a) Screenshot(s) of the CEU center
 - b) Badges received from attending a conference etc.
 - c) Receipt of payments from conferences, webinars, etc.
 - d) CEU certificates that do not list the necessary information (credential's holder name, amount of CEUs earned, length of session, etc.)
3. Receipt of a failing score on any CCHIIM examination
4. Imposition of a fee based on a final adverse decision
5. Grant of provisional recertification status

C. CEC Appeal Review and Final Appeal Decisions

- The CEC shall make a reasonable effort to determine the facts of the matter. • If a written request for appeal of a denial of an extension of an established deadline, an exception to any

other administrative requirement, or a denial of remedy requested based on a grievance regarding the administration of a CCHIIM examination, along with the required appeal fee, is received within thirty (30) calendar days after the date of the notice of adverse decision, it will be reviewed by the CEC at its next meeting occurring at least thirty (30) calendar days after receipt of the request for review.

- Based on its review of the review record, and consideration of testimony provided during a hearing, if any, the CEC may, at its sole discretion, take one of the following actions:
 - (1) Affirm the adverse decision, (2) Modify the adverse decision, or
 - (3) Reverse the adverse decision.
- CCHIIM shall notify the individual in writing of the CEC's action, including the reasons therefore, within thirty (30) calendar days after the CEC reaches its decision.

A decision by the CCHIIM Executive Committee to ratify, reverse, or modify an adverse decision shall constitute the final decision of CCHIIM on the matter and shall not be subject to further appeal.

If the CEC, on remand, corrects the procedural error but reaches the same decision, that decision shall constitute the final decision of CCHIIM on the matter and shall not be subject to further appeal.

5. Responsibility for Notification of Name, Email Address or Address Change

Individuals are solely responsible to update their contact information in their AHIMA account. A failure to communicate updated contact information cannot serve as the basis for a request for reconsideration or an appeal.

6. Submissions to CCHIIM

Whenever there is a requirement for a written notice, request or other writing to be submitted to CCHIIM, such writing shall be addressed to the following:

American Health Information Management Association
CCHIIM
c/o Certification Department 35 W. Wacker
Dr., 16th Fl. Chicago, IL 60601