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Ethics Case Procedures

For BOC Certified Practitioners

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Ethics Case Procedures

Introduction

The Board of Certification/Accreditation (BOC) develops, promotes, and demands high ethical standards for orthotic/prosthetic practitioners as set forth in the BOC Code of Ethics (hereinafter, the "Code").

The following Ethics Case Procedures (hereinafter, "Procedures") are the rules for processing alleged violations of BOC's Code. These Procedures apply to all individuals seeking BOC certification (candidates) and all individuals certified by the BOC (certificants), including the following certificant groups: Orthotist, BOC-Certified™ (BOCO®); Prosthetist, BOC-Certified™ (BOCP®); Certified Orthotic Fitter™ (COF®); BOC Pedorthist™ (BOCPD™); Certified Mastectomy Fitter™ (CMF®); and, Certified Durable Medical Equipment Specialist™ (CDME™).

All certificants and candidates (collectively, "practitioners") agree to abide, and be bound, by BOC policies, including the Code and these Procedures. In addition, all BOC practitioners agree that these Procedures are the exclusive process for resolving all ethics matters, including complaints and violations. Further, the Code and these Procedures shall in all respects be interpreted, enforced and governed under the laws of the State of Maryland. Any action, claim or dispute arising out of the Code and these Procedures, including all actions relating in any way to a decision or order issued pursuant to the Code and these Procedures, shall be brought in the State of Maryland, regardless of whether the conflict of law rules of this or any other jurisdiction indicate otherwise.

A. General

1. Nature of the Process. These Procedures are the exclusive means to resolve all BOC ethics charges and complaints. BOC has the exclusive authority to end any ethics inquiry or case regardless of circumstances. By applying for certification or recertification, practitioners agree that they will not challenge the authority of BOC to apply the Code and these Procedures, or other policies, and will not challenge the results of any BOC action taken under these policies in a legal or government forum, including any court of law.

These Procedures are designed to operate without the assistance of attorneys. The parties are encouraged to communicate directly with BOC's Chief Credentialing Officer. Any party may be represented by an attorney with respect to an ethics proceeding; however, if a party elects to be represented by counsel, that party and attorney may be directed to communicate with BOC only through BOC legal counsel.

2. Participants. Ethics cases may be decided by BOC's Chief Executive Officer ("CEO"), BOC's Peer Review Committee, BOC's Board of Directors, BOC's Board Appeals Chair ("Board Appeal Chair"), BOC's Chief Credentialing Officer, and/or any representative designated by the CEO or authorized by these Procedures. A practitioner who is the subject of an ethics charge or investigation is identified herein as the respondent. The person or entity initiating an ethics complaint against a practitioner is identified herein as the complainant.

3. Ethics Charge Statement. A party with a good faith belief that a practitioner has committed an ethics violation may initiate an ethics case and act as a complainant. The Ethics Charge Statement form is available on BOC's website (www.bocusa.org). The complainant must complete the information requested on the Charge Statement; and then submit the completed Charge Statement to the Chief Credentialing Officer. Each Ethics Charge Statement must include a detailed written description of the factual allegations supporting the ethics charge(s). All sections must be completed in order to be considered.

4. Time Requirements. BOC will make every effort to adhere to the time requirements set forth in these Procedures. However, BOC's failure to meet a time requirement will not preclude the final resolution of any ethics matter. Complainants and respondents are required to comply with all time requirements specified in these Procedures. Time extensions or postponements may be granted by the BOC Chief Credentialing Officer if a timely written request sets forth good cause or if the postponement is in the best interests of resolving the complaint fairly.
5. Litigation/Other Proceedings. BOC may accept and resolve ethics complaints notwithstanding that civil, criminal, or other proceedings related to the complaint or parties are pending before a court, regulatory agency, professional body, or similar entity. BOC may, in its sole and absolute discretion, continue or delay proceedings under these Procedures in such cases.
6. Complaints Concerning Non-Certificants. In the event that BOC receives an ethics inquiry or Ethics Charge Statement concerning an individual who does not hold any BOC credential or who is not a candidate, BOC may refer the complainant to the appropriate authority.
7. Improper Disclosure/False or Misleading Responses. Any failure to disclose pertinent information or a misleading or false disclosure by a practitioner with respect to an ethics charge by a complainant may result in the dismissal of the complaint.
8. Time Limitations Concerning Complaints. BOC may consider any ethics complaint, regardless of (a) whether the respondent held a BOC credential at the time of the alleged violation; (b) when the alleged violation occurred; or, (c) whether the respondent continues to hold or seek a BOC credential during the course of any ethics case.
9. Confidentiality. The identities of all members of the Peer Review Committee and the Board Appeals Chair shall remain confidential, and will not be revealed or released without the specific authorization of each member. All communications regarding an ethics violation, unless directed otherwise, shall be addressed to the Chief Credentialing Officer.
10. Failure to Cooperate. Cooperation by all parties, including complainants and respondents, is required. If any party refuses to reasonably cooperate with BOC and it is deemed by BOC that such failure to cooperate was without good cause, BOC, in its sole and absolute discretion, may take any remedial action it deems reasonable, including the dismissal of an ethics complaint.
11. Resignation from BOC. Should a respondent attempt to relinquish BOC certification or withdraw an application during the course of any ethics inquiry or case, BOC reserves the right to continue the matter to a final resolution according to these rules.

B. Mediation

1. Cases Appropriate for Mediation. The Chief Credentialing Officer will review all charges, complaints, and Ethics Charge Statements to determine if the case is appropriate for mediation. The Chief Credentialing Officer will consider the seriousness of the allegations, the respondent's background, prior conduct, and any other pertinent information, and make a decision concerning the likelihood that the matter can be resolved fairly and without formal disciplinary proceedings as described in these Procedures. Ethics cases concerning charges issued by a regulatory agency or professional body, and those involving alleged criminal conduct are generally not appropriate for mediation.

2. Successful Mediation. In the event of successful mediation, the Chief Credentialing Officer will prepare an agreement or similar document memorializing the terms of the mediated resolution, a copy of which will be forwarded to the parties.

3. Unsuccessful Mediation. In the event of unsuccessful mediation, the Chief Credentialing Officer will refer the case to the Peer Review Committee for resolution consistent with these procedures.

C. Ethics Inquiries/Ethics Charge Statements

1. Ethics Inquiries. The Chief Credentialing Officer will record all ethics inquiries and identify the person(s) making the inquiry; the practitioner identified; the State from which the inquiry originates; and the nature of the problem. This case log will remain confidential, and will be available only to authorized representatives of BOC, or released for review to cooperating agencies and organizations.

2. Ethics Charge Statement/Description of Charges. In order for BOC to consider an ethics complaint, a complainant other than the BOC must complete and submit to the Chief Credentialing Officer an Ethics Charge Statement, including all information required by the form. The Ethics Charge Statement is a formal written communication from a complainant describing the allegations against a certificant or candidate, and is the only form of complaint submission accepted. Public documents such as newspaper stories, court verdicts or agency decisions are not acceptable, and will not be considered as Ethics Charge Statements, but such material may be submitted as documentation to support a complaint. When an Ethics Charge Statement is received by BOC, the Chief Credentialing Officer will (a) review the material received and assign a case number to the matter; (b) review the allegations made concerning the charges; (c) determine whether the charges are presented in sufficient detail to permit BOC to conduct a preliminary investigation; and, if necessary, (d) contact the complainant and request additional factual material. The Chief Credentialing Officer will send a letter to the complainant and respondent stating whether the charges submitted are accepted or rejected for a formal ethics investigation.

D. Acceptance/Rejection of Ethics Charges

1. Charge Acceptance. The Chief Credentialing Officer will review each charge presented in an Ethics Charge Statement submitted by a complainant and then determine if it will become the subject of a formal Ethics Complaint and Investigation. The following criteria will be considered to determine if a charge is accepted or rejected: (a) whether the respondent is a practitioner or candidate; (b) whether the allegations constitute a violation of the Code of Ethics; (c) the passage of time since the alleged violation occurred; (d) whether relevant and reliable information concerning the charge is available; and (e) whether the complainant is willing to provide documentation or other information to BOC concerning the complaint.

The Chief Credentialing Officer will determine whether the charge(s) and available information support a formal Ethics Complaint, and upon such determination, will issue a formal Ethics Complaint and Investigation Notice.

2. Charge Rejection. If the Chief Credentialing Officer determines that an allegation should not become the subject of a formal Ethics Complaint, the Chief Credentialing Officer will reject the charge(s). The Chief Credentialing Officer will notify the complainant by letter within approximately twenty-one (21) days of the determination. If the complainant discovers new or additional information that he or she believes constitute an ethics violation, he or she may submit a new charge statement.

E. Ethics Complaints and Investigation

1. Ethics Complaint and Investigation Notices. After an ethics charge is accepted, the Chief Credentialing Officer will issue a formal Ethics Complaint and Investigation Notice identifying each Code of Ethics violation alleged and the supporting factual basis for each complaint. This Notice will be delivered to the respondent at the respondent's e-mail address and at the last known address(es) by certified mail, return receipt requested, restricted delivery, and will be marked, "Confidential."

The Notice will state that the respondent may request a hearing or submit the case for review and resolution to the Chief Credentialing Officer. If the respondent does not request a hearing, the complaint will be resolved by the Chief Credentialing Officer under Section H of these Procedures.

F. Ethics Complaint Response/Optional Reply and Optional Response

1. Submitting an Ethics Complaint Response. Within thirty (30) days of the respondent's receipt of an Ethics Complaint and Investigation Notice, the respondent must submit an Ethics Complaint Response pursuant to the instructions in the Notice. The Ethics Complaint Response must include the following: (a) a full response to each complaint; (b) the identification and a copy of each document that the respondent believes to be relevant to the resolution of the Ethics Complaint; and (c) any other information that the respondent believes will assist BOC in considering the Ethics Complaint fairly.

2. Response Deficiencies. The Chief Credentialing Officer may require the respondent to supplement or expand a response.

3. Ethics Complaint Response. The Chief Credentialing Officer will forward a copy of the Ethics Complaint Response to the complainant within approximately ten (10) days following the receipt of the Response by BOC.

G. Preliminary Actions and Orders

1. Suspension of Certification. The Chief Credentialing Officer may issue Preliminary Suspension Order involuntarily suspending the respondent's certification(s). In addition, the BOC may request that the respondent voluntarily suspend his or her certification(s). Upon suspension, the respondent will cease representing himself or herself as certified, credentialed or otherwise endorsed by BOC until further notice. In addition, the respondent will also return any certifications to BOC to be held until the final resolution of the complaint. This Suspension Order will stay in effect until the final resolution of the complaint.

2. Circumstances Warranting Preliminary Suspension Orders. Preliminary Suspension Orders are authorized where (a) the respondent has been convicted of a criminal act; (b) the respondent has been indicted or similarly charged with a criminal act or violation of a criminal law under statute, law or rule; (c) the respondent has been found in violation of any law, regulation or rule by a professional regulatory body, or has been sanctioned or disciplined by such a regulatory body; (d) the respondent is the subject of a formal complaint or similar charge and/or investigation by a professional regulatory body; (e) the respondent has been found in violation of an ethics code of a professional association or certifying body; (f) the respondent is the subject of a formal complaint or similar charge and investigation by a professional association or certifying body concerning ethics or disciplinary matters, (g) the respondent is the subject of litigation or a petition relating to respondent's orthotic/prosthetic practice; (h) If the CEO or Chief Credentialing Officer determines that the ethics charges constitutes a potential danger to the public health or safety or (i) if the CEO or Chief Credentialing Officer

determines that the interests of the public or BOC warrant the immediate suspension of the respondent's certification.

3. Other Preliminary Orders. The Chief Credentialing Officer may require the respondent to do or to refrain from doing certain acts by Preliminary Order, including the disclosure/submission of documents relevant to review of an ethics investigation. Any Preliminary Order will be reasonably related to the complaint under consideration or to a party's responsibilities under the Code of Ethics.

4. Failure to Comply with Preliminary Orders. The Chief Credentialing Officer may discipline a respondent who fails to comply with a preliminary order. The Chief Credentialing Officer will consider the severity of the failure to comply and other relevant factors in determining the discipline.

H. Complaint Resolution

1. Chief Credentialing Officer Resolution of Complaints. The Chief Credentialing Officer decides all matters in which BOC is not the complainant. The Chief Credentialing Officer will resolve the ethics complaint, and issue a Final Decision and Order.

2. BOC as Complainant. The Peer Review Committee will consider all matters in which BOC is the complainant. The Peer Review Committee will resolve the ethics complaint, and issue a Final Decision and Order.

3. Peer Review Committee. The Peer Review Committee consists of five members, which members include a Chair and Vice Chair appointed by the Board Appeals Chair. Four members will be considered a quorum to conduct business. Peer Review Committee panel members must not have had a substantial professional relationship with either the complainant or respondent; and must not have a conflict of interest with either the complainant or respondent.

I. Hearing

1. Hearing Chair. As the case may be, whether the Chief Credentialing Officer or the Peer Review Committee is hearing the case, the chair of the hearing hereinafter shall be referred to as the Hearing Chair.

2. Hearing Schedule and Location. The Hearing date for each ethics case will be scheduled by the Chief Credentialing Officer in consultation the parties. Each Hearing will be held at a physical or virtual site determined by Chief Credentialing Officer. If practical, each hearing will be held no less than thirty (30) days and no more than one hundred twenty (120) days from the receipt of an Ethics Charge Statement by the Chief Credentialing Officer. Hearings will not be held prior to the date permitted in these rules in order to permit each party to submit a Response or a Reply.

3. Hearing Notice and Attendance. The Chief Credentialing Officer will notify the parties of the hearing schedule and location in writing. Each party will be required to indicate the following at least seven (7) days before the hearing: (a) whether the party wishes to appear at and participate in the hearing in person; (b) whether the party wishes to participate in the hearing via telephone; if so, the telephone number where the party is to be reached during the hearing; (c) Whether the party intends to appear at or participate in the hearing with an attorney or other representative; if so, the name, address and telephone number of such attorney or representative; (d) whether the party intends to present witnesses during the hearing; if so, the name, address and telephone number of each witness and a brief summary of the content of the witness's proposed testimony; and (e) whether the party intends to present or offer any documentary information or other

written proof during the course of the hearing that has not been previously considered by BOC. If such information is offered, the party must provide a copy of each document.

Consistent with the requirements of these Procedures, the Hearing Chair shall have the sole discretion to determine the manner and extent of hearing participation by each party or other hearing participant, including whether a party or hearing participant shall appear in person or participate via telephone. Any Ethics Complaint may proceed to a conclusion and decision whether or not the parties are present.

4. Postponement of Hearing. A respondent or complainant may request a hearing postponement. This request must be in writing and received by the Chief Credentialing Officer at least seven (7) days before the Hearing date. The Hearing Chair may grant a postponement. Postponement decisions cannot be appealed.

5. Participation of BOC Legal Counsel. Should BOC legal counsel be present during an ethics case hearing, legal counsel shall have the privilege of the floor and may conduct the hearing with the Hearing Chair. Legal or other representatives of the parties do not have such privilege and are bound by the determinations and rulings of the Chair Hearing Chair.

6. Responsibilities and Rights of the Parties. In addition to other responsibilities and rights, the respondent and the complainant may do, or be required to do, the following: (a) attend the hearing and be present during the testimony of all witnesses; (b) present witnesses, written information and argument on their behalf; (c) review or inspect all oral or written information presented in the case; and (d) comply with all orders or directives issued by the Chief Credentialing Officer.

7. Witnesses. At the discretion of the Hearing Chair, witnesses may be excluded from the hearing room or telephone conference except during the presentation of their testimony.

8. Confidentiality/Inclusion of Other Persons. All hearings are confidential and private. No observers are permitted without consent of the Chair.

9. Information and Proof Accepted. The Hearing Chair and Peer Review Committee, as the case may be, will receive and consider all information appearing to be relevant to an ethics complaint, including any information that may be helpful to a complete understanding of the case. Objections relating to relevance of information and similar issues will be decided by the Hearing Chair.

10. Record of the Hearing. A taped, written, or summary record of the Hearing will be made by a BOC representative, stenographer/recorder, or similarly appointed person; however, no taped, video, or other electronic recording of the Hearing will be permitted unless specifically authorized by the Hearing Chair. Off-the-record conversation may be requested by parties and will not be part of the hearing record.

11. Hearing Expenses. Parties will be responsible for their expenses associated with the case. Should a party request a written transcript or recording copy of the hearing, a reasonable fee will be assessed for preparation. BOC bears the cost of the hearings and investigations that are performed by BOC representatives. Requests for audio or written transcripts shall be made to the Chief Credentialing Officer.

12. Closing of the Hearing Record. The hearing record will be closed following the conclusion of the hearing. Any party, including the Hearing Chair, may request that the record remain open for the purpose of receiving additional documentary information and proof. The Hearing Chair may deny requests to keep records open, and such decisions cannot be appealed.

J. Hearing Chair Decisions and Orders

1. Decision and Order. At the direction of the Hearing Chair, BOC will prepare a Decision and Order within fourteen (14) days of the closing of the case record or as soon thereafter as practical.

2. Contents of the Decision and Order. The following information will be included in the Ethics Case Decision and Order: (a) a summary of the case, including the positions of the parties; (b) a summary of all relevant factual findings based on the record; (c) a final ruling on each Code of Ethics violation charged; (d) a statement of any disciplinary action(s) and/or sanction(s) issued; and (e) any other material that the Chief Credentialing Officer or Peer Review Committee determines to be appropriate.

K. Disciplinary Actions

1. Disciplinary Actions Available. When a respondent has been found to have violated one or more provisions of the Code of Ethics, the Hearing Chair may issue and order one or more of the following disciplinary and remedial actions: (a) a recommendation to the Board of Directors that the practitioner be ineligible for recertification or certification, and that any reapplication of the respondent for BOC certification be denied; (b) a requirement that the respondent take corrective action(s); (c) a private reprimand and censure of the respondent concerning the Code of Ethics violation(s); (d) a public reprimand and censure of the respondent concerning the Code of Ethics violation(s); (e) the imposition of a term of certification probation for any period up to three (3) years, which may include conditions on the respondent's conduct during that period, such as the condition that the respondent be monitored with respect to orthotic/prosthetic activities; (f) the suspension of any BOC certification held by the respondent for a period of not more than two (2) years, which shall include the requirements that the respondent return to BOC all original or copied credential materials for the suspension period and immediately stop any professional identification or affiliation with BOC during the suspension period; and, (g) the revocation of any BOC certification held by the respondent, which shall include the requirements that the respondent return to BOC all original or copied credential materials and to stop immediately any and all professional identification or affiliation with BOC.

2. Referral and Notification Actions. The Chief Credentialing Officer may notify appropriate government or professional bodies of any final disciplinary action taken against a respondent by sending a copy of the ethics case Decision and Order issued by the Chief Credentialing Officer, the Peer Review Committee, or the Board Appeals Chair. Such notification may be sent by the Chief Credentialing Officer at any point after the time period for the respondent to appeal an adverse decision has lapsed. The Chief Credentialing Officer will not notify governmental and professional bodies until after a final ruling on the case has been made, if necessary. During an appeal period, the Chief Credentialing Officer may respond to inquiries concerning ethics cases, and may indicate the existence of such proceedings.

3. Publication of Disciplinary Action. Following the expiration of any appeal rights and upon case closure, the Chief Credentialing Officer may publish or release a final ethics Decision and Order. Any party or interested individual may request publication of any final decision, consistent with these Procedures. However, the Chief Credentialing Officer may deny such requests, and such decisions cannot be appealed.

L. Appeals of Chief Credentialing Officer Decisions

In the event that the respondent appeals the decision of the Chief Credentialing Officer, the Peer Review Committee will meet either in person, by telephone, or by other means to consider that appeal. The Committee will consider it within the times set forth below. If the Peer Review Committee upholds the decision of the Chief Credentialing Officer, the matter is considered final, and no other appeal is permitted.

M. Appeals of Peer Review Committee Decisions

In the event that the respondent appeals the hearing decision of the Peer Review Committee, the Chair of the BOC Board of Directors shall appoint a Board Appeals Chair to consider the merits of and resolve all appropriate appeals concerning hearing decisions of the Peer Review Committee. If an appeal is accepted, it follows the process noted in these procedures; if the appeal is denied, the Order of the Peer Review Committee stands.

1. Time Period for Appeals to the Board Appeals Chair. Within thirty (30) days of the receipt of the Decision and Order, the respondent may appeal all or a portion of the Decision and Order to, as the case may be, the Peer Review Committee or the BOC Board Appeals Chair (hereinafter, "Appeal Chair") pursuant to this Section. Any appeals received beyond this time period will not be reviewed or considered by the Appeal Chair.

2. Grounds for Appeal to the Board Appeals Chair. An adverse Decision of the Peer Review Committee may be reversed, or otherwise modified by the Appeal Chair. However, the grounds for appeal of an adverse decision are strictly limited to the following:

(a) Procedural Error: the Chief Credentialing Officer or Peer Review Committee misapplied a procedure contained in these rules and prejudiced the respondent;

(b) New or Previously Undiscovered Information: following the closing of the hearing record, the respondent has located relevant information that was not previously in his/her possession; that was not reasonably available prior to closure of the record; and could have affected the Chief Credentialing Officer or Peer Review Committee Decision;

(c) Misapplication of the Ethics Code: the Chief Credentialing Officer or Peer Review Committee Decision has misapplied the provisions of the Code of Ethics, and the misapplication prejudiced the respondent; and/or,

(d) Contrary to the Information Presented: the Chief Credentialing Officer or Peer Review Committee Decision is contrary to the substantial information provided in the record.

3. Contents of Appeal/Letter of Appeal. In order to complete an appeal to the Appeal Chair under this Section, the respondent must submit a letter or other document to the Appeal Chair in care of the Chief Credentialing Officer and to the complainant, within the prescribed time period, which contains the following information and material:

(a) the ethics case name, docket number, whether the case was decided by the Chief Credentialing Officer or the Peer Review Committee, and the date of the Decision;

(b) a statement of the grounds for the appeal under Subsection L.3, above, and a complete explanation of the reasons that the respondent believes that the Decision should be reversed or otherwise modified; and

(c) accurate, complete copies of any material which supports the respondent's appeal.

4. Appeal Deficiencies. The Appeal Chair may require the respondent to clarify, supplement, or amend an appeal submission.

5. Optional Response to Appeal Letter. Within thirty (30) days of the receipt of a respondent's appeal, the complainant may submit to the Appeal Chair a Response to the Appeal by letter or similar document. If submitted, this Response must fully explain any objections that the complainant has concerning the appeal.

6. Board Appeals Chair. Within sixty (60) days after the submission of a complete appeal, or as soon after as practical, the Appeal Chair will issue an Appeal Decision and Order stating and explaining the outcome of the appeal. With respect to each appeal, the Appeal Chair Decision and Order may include the following:

(a) a summary of any relevant portions of the Decision and Order;

(b) a summary of any relevant procedural or factual findings made by the Appeal Chair;

(c) the ruling(s) and decisions with respect to each matter under appeal; and ,

(d) the Appeal Chair's final Order affirming, reversing, amending or otherwise modifying any portion of the Decision and Order, including any disciplinary or remedial action or sanction.

Copies of the Appeal Chair's Decision and Order shall be sent to the parties, via U.S. mail, return receipt requested, or other appropriate delivery method.

N. Finalizing and Closing Ethics Cases

1. Events Which Will Cause Closure of an Ethics Case. An ethics case will be closed and all proceedings ended when any of the following occur:

(a) Following the expiration of any appeal rights, the ethics case has not been accepted and the charges have been rejected as the basis for an Ethics Complaint and Investigation pursuant to these rules;

(b) Following the expiration of any appeal rights, a final Decision has been issued by the Chief Credentialing Officer, the Peer Review Committee, or the Appeal Chair pursuant to these Procedures; or

(c) An Ethics Complaint has been terminated or withdrawn by the complainant(s).

2. Events Which Will Cause a BOC Ethics Case Decision and Order to Become Final. An Ethics Case Decision and Order that is not appealed will be final. The Decision of the Appeal Chair is final, and no further appeals are available to any party.

O. Reapplication and Reinstatement Procedures Following Revocation, Suspension, and Probation Orders

1. Revocation Orders/Reapplication Petition. Five (5) years after the issuance of a final revocation order issued under these rules, a respondent may submit to the Chief Credentialing Officer a Petition For Permission To Reapply For Certification (Reapplication Petition), as set forth in Section 4, below.

2. Suspension Orders/Reinstatement Requests. After the expiration of a final suspension order issued under these rules, a respondent may submit to the Chief Credentialing Officer a Request For Certification Reinstatement (Reinstatement Request), as set forth in Section 4, below.

3. Probation Orders/Reinstatement or Referral. Following the expiration of a final probation order included with a Final Decision of the Chief Credentialing Officer, the Peer Review Committee, or the Appeal Chair, the Chief Credentialing Officer will determine whether the respondent has or has not satisfied the terms of the probation order, and will do the following:

(a) if the respondent has satisfied the terms of probation in full, the Chief Credentialing Officer will immediately verify that the probation has been completed and reinstate the practitioner to full certification status; or

(b) if the respondent has not satisfied the terms of probation in full, the Chief Credentialing Officer will determine an appropriate course of action consistent with these rules, including, but not limited to, continuation

of the probation order and issuance of additional disciplinary or remedial actions concerning the probation terms.

4. Contents of Reapplication Petitions and Reinstatement Requests. Subject to the time requirements above, the Chief Credentialing Officer will consider Reapplication Petitions and Reinstatement Requests from those who have been the subject of a final revocation or suspension orders, respectively. Reapplication Petitions and Reinstatement Requests must include the following information:

(a) a statement of the relevant ethics case name, docket number, and the date that the final BOC Ethics Decision was issued;

(b) a statement of the reasons that support or justify the Reapplication Petition or the Reinstatement Request, including a statement explaining why the respondent should now receive BOC certification; and,

(c) copies of any relevant documentary or other material upon which the respondent relies in support of the Petition or Request.

5. Board of Directors Reapplication Petition and Reinstatement Request Review. Within fourteen (14) days after the submission of a complete Reapplication Petition or Reinstatement Request, or as soon after as practical, the Board of Directors will prepare and issue a Decision and Order explaining the decision with respect to the Petition or Request. The final Board Decision and Order will indicate whether the Petition or Request is granted, denied, or continued to a later date. If appropriate, the Decision and Order will indicate any conditions of certification or recertification. Copies of the Board of Directors Decision and Order will be sent to the parties, via U.S. mail, return receipt requested, or other appropriate delivery method. While no appeal of the Board Decision and Order is permitted by BOC, the respondent may submit a new Petition or Request pursuant to this Section, two (2) years or more after the issuance of the Board Decision and Order.