

POLICY 315: Complaints Against an Accredited Advanced Practice Provider Program

The ACEN and ARC-PA will only act upon substantiated complaints against an accredited advanced practice provider program that indicate:

1. A sponsoring organization's and/or advanced practice provider program's non-compliance with the Advanced Practice Provider Advanced Practice Provider Standards and Criteria;
2. A sponsoring organization's and/or advanced practice provider program's non-compliance with an advanced practice provider policy; and/or
3. A sponsoring organization's and/or advanced practice provider program's non-compliance with its own published policy as said policy relates to the Advanced Practice Provider Standards and Criteria.

The ACEN and ARC-PA will not interpose itself as a reviewing authority in individual matters such as, but not limited to, program acceptance; application of sponsoring organization or program policies; financial matters; disciplinary matters; contractual rights and obligations; personnel decisions; or similar matters. The ACEN and ARC-PA will also not seek any type of compensation, damages, or other redress on an individual's behalf. The ACEN and ARC-PA will not respond to or act upon any complaint that is defamatory, hostile, or profane. In addition, the ACEN and ARC-PA will not involve itself in collective bargaining disputes. The ACEN and ARC-PA does not accept complaints about individuals.

In addition, the ACEN and ARC-PA may act upon concerns from a recognized state or federal agency.

The ACEN and ARC-PA will maintain records of program complaints for four years. If a number of program complaints suggest a pattern of concern not evident from any single complaint, the ACEN and ARC-PA may renew its consideration of a matter for whatever action may be appropriate.

The ACEN and ARC-PA expects that the individual complainant will attempt to resolve an issue through the sponsoring organization and/or advanced practice provider program's own published grievance policy/procedures before submitting a complaint to the ACEN and ARC-PA. Therefore, an individual must use all available grievance and means of appeal within the sponsoring organization and/or advanced practice provider program before filing a complaint with the ACEN and ARC-PA. The ACEN and ARC-PA will not consider a complaint while sponsoring organization's proceedings or litigation appertaining thereto are ongoing. However, if the ACEN and ARC-PA determines that the complainant raises issues so immediate that a delay may jeopardize the advanced practice provider program's accreditation status or cause harm to trainees, the ACEN and ARC-PA may, at its discretion, choose to proceed with its review.

The ACEN and ARC-PA will not review or act upon a complaint to which the sponsoring organization and/or advanced practice provider program's published grievance policy/procedures apply if it is formally filed with the ACEN and ARC-PA more than one calendar year after the completion of the policy/procedures. The ACEN and ARC-PA will not review or act upon a complaint to which such policies/procedures do not apply if it is formally filed with the ACEN and ARC-PA more than one calendar year after the circumstances leading to the complaint.

Submitting a Complaint

1. The complaint must be presented to the ACEN and ARC-PA as a written, signed, and dated statement with supporting documentation. The ACEN and ARC-PA will not review or act upon complaints that are not presented in writing.
2. All complaints must be submitted using the ACEN and ARC-PA's official Complaint Form, which must be completed in its entirety. The ACEN and ARC-PA's official Complaint Form is available at: [HYPERLINK]. Complaints submitted without the official Complaint Form, completed in its entirety, will not be reviewed or acted upon.
3. The completed Complaint Form and the required supporting documentation must be submitted to the ACEN and ARC-PA via the United States Postal Service or an express carrier (e.g., UPS, FedEx, DHL).
4. The completed Complaint Form and the required supporting documentation may be submitted to the ACEN and ARC-PA in paper format or using a portable electronic storage device (e.g., USB).
5. The ACEN and ARC-PA will not review or act upon anonymous complaints, nor will it review or act upon complaints submitted by an individual or agency on behalf of another individual. For example, the ACEN and ARC-PA will not review or act upon a complaint from a parent, spouse, child, sibling, co-worker, or friend of a complainant, or from an attorney.
6. The ACEN and ARC-PA must be the original intended recipient of the complaint and will not review or act upon complaints that are forwarded to the ACEN and ARC-PA.
7. The ACEN and ARC-PA will not accept or discuss complaints via telephone.
8. All written materials, including the submitted Complaint Form, the required supporting documentation, and any other printed materials, must be presented in English.

Each sponsoring organization and advanced practice provider program are required to have in place written trainee complaint policies and procedures that are reasonable, fairly administered,

and well publicized. The sponsoring organization and advanced practice provider program must maintain a record of complaints received. This record must be available to the ACEN and ARC-PA upon request. The records for the advanced practice provider program will be examined by the ACEN and ARC-PA as part of the advanced practice provider program's joint initial or joint continuing accreditation review.

Procedure for Processing Complaints

1. The ACEN and ARC-PA will acknowledge a complaint within 15 business days of its receipt.
2. Within 60 business days after acknowledging receipt of the complaint, the ACEN and ARC-PA staff will review the complaint and determine whether:
 - a. it is related to the advanced practice provider program's accreditation status,
 - b. it is within the scope of advanced practice provider policy, and/or
 - c. it demonstrates the sponsoring organization's and/or advanced practice provider program's non-compliance with:
 - i. the Advanced Practice Provider Standards and Criteria,
 - ii. an advanced practice provider policy, and/or
 - iii. the sponsoring organization's and/or advanced practice provider program's own published policy as said policy relates to the Advanced Practice Provider Standards and Criteria, and
 - d. there is adequate evidence in support of the allegations made in the complaint.
3. If the complaint does not have sufficient substance to warrant further review, the ACEN and ARC-PA will communicate this to the complainant, in writing, within 15 business days of reaching this conclusion.
4. If the complaint has sufficient substance to warrant further review, the ACEN and ARC-PA will make every effort to expedite its review; however, the time required to conduct its review may vary depending on the circumstances and nature of the complaint.
5. When a complaint is reviewed further, a copy of the complaint will be forwarded to the program administrator of the advanced practice provider program, who will be asked to respond to the ACEN and ARC-PA within 20 business days. Upon receipt of a response from the program administrator, the ACEN and ARC-PA reserves the

right to request additional materials, as needed, from the complainant and/or program administrator.

6. If there is insufficient evidence of non-compliance, the complaint will not be processed further. The decision of the ACEN Chief Executive Officer and ARC-PA Executive Director is final, and the complainant and program administrator will be notified of this outcome.
7. If there appears to be sufficient evidence of non-compliance or if the ACEN and ARC-PA staff are unable to determine compliance, the following actions may be taken by the ACEN Chief Executive Officer and ARC-PA Executive Director (the complainant and program administrator will be notified of this outcome):
 - a. The complaint may be forwarded directly to the ACEN Board of Commissioners and ARC-PA Commissioners for review and action.
 - b. The ACEN Chief Executive Officer and ARC-PA Executive Director may authorize a Focused Visit to evaluate the sponsoring organization/advanced practice provider program. The Focused Visit Team will examine documents and interview sponsoring organization's personnel to analyze and make a judgment regarding compliance, after which they will prepare a Focused Site Visit Report. This Report will be forwarded to the ACEN Board of Commissioners and ARC-PA Commissioners for review and action at the next meeting of each Board. Following those meetings, the complainant and program administrator will be notified of the decision.
 - c. The complaint allegations may be reviewed as part of an upcoming scheduled visit to the advanced practice provider program. The peer evaluators will examine documents and interview sponsoring organization's personnel to analyze and make a judgment regarding compliance, after which they will prepare a Site Visit Report. This Report will be forwarded to the ACEN Board of Commissioners and ARC-PA Commissioners for review and action at the next meeting of each Board. Following that meeting, the complainant and program administrator will be notified of the decision.

For items 7a, 7b, or 7c above, the decision of the ACEN Board of Commissioners and ARC-PA Commissioners is final unless appealable as delineated in Policy #309 Appeal Process and Submission and Review of New Financial Information Subsequent to Adverse Action.

Policy 315 History
Initial Approval: ___ 2023