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# **Ethics Case Procedures**

For BOC-Certified Certificants/Candidates

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## Contents

Introduction .....	1
A. General.....	1
B. Mediation .....	2
C. Ethics Inquiries / Ethics Charge Statement Process .....	3
D. Acceptance/Rejection of Ethics Charges.....	3
E. Ethics Complaints and Investigation Notices .....	4
F. Ethics Complaint Response.....	4
G. Preliminary Actions and Orders.....	4
H. Complaint Resolution .....	5
I. Hearing .....	5
J. Hearing Chair Decisions and Orders.....	7
K. Disciplinary Actions .....	7
L. Appeals of Credentialing Director Decisions.....	8
M. Appeals of Peer Review Committee Decisions .....	8
N. Finalizing and Closing Ethics Cases .....	9
O. Reapplication and Reinstatement Procedures Following Revocation, Suspension and Probation Orders.....	10

# Ethics Case Procedures

## For BOC-Certified Certificants/Candidates

### Introduction

The Board of Certification/Accreditation, International (BOC) develops, promotes and demands high ethical standards for all BOC Certificants/Candidates 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 agree to abide, and be bound, by BOC policies, including the Code and these Procedures. In addition, all BOC Certificants/Candidates 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, and the venue of any such dispute shall be in the Circuit Court for Baltimore County. 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 in the Circuit Court for Baltimore County, 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 reject any complaint or terminate and/or conclude any ethics inquiry or case regardless of circumstances. By applying for certification or recertification, Certificants/Candidates agree that they shall not challenge the authority of BOC to apply the Code and these Procedures or other policies and shall not contest the outcome or determination of any BOC action taken pursuant to 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 Credentialing Director or his or her designee (collectively, “Credentialing Director”). 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 and must comply with that direction, if issued.

- 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 Chair, BOC’s Credentialing Director, and/or any representative designated by the CEO or authorized by these Procedures. A Certificant/Candidate 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 Certificant/Candidate is identified herein as the “complainant.”
- 3. Ethics Charge Statement.** A party with a good faith belief that a Certificant/Candidate has committed an ethics violation may initiate an ethics case as a complainant. The Ethics Charge Statement form is available on BOC’s website ([www.bocusa.org](http://www.bocusa.org)). The complainant must complete the information requested on the Ethics Charge Statement and submit the completed form to the Credentialing Director. Each Ethics

Charge Statement must include a detailed written description of the factual allegations supporting the ethics charge(s). Before BOC will consider a complaint, all sections must be completed.

- 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 Credentialing Director if a timely written request sets forth good cause or if the postponement is in the best interest 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 is not a BOC Certificant/Candidate, BOC may refer the complainant to the appropriate authority.
- 7. Improper Disclosure / False or Misleading Responses.** With respect to an ethics charge, any failure to disclose pertinent information or the submission of any false or misleading disclosure 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 was a BOC Certificant/Candidate at the time of the alleged violation.
  - (b) When the alleged violation occurred.
- 9. Confidentiality.** The identities of all members of the Peer Review Committee and of the Board Chair may remain confidential and may 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 Credentialing Director.
- 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 is 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 or the revocation of a certification.
- 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.** Mediation is a nonbinding process to informally resolve disputes. The Credentialing Director will review all charges, complaints and Ethics Charge Statements to determine if the case is appropriate for mediation. The Credentialing Director will make a decision concerning the likelihood that the matter can be resolved fairly through mediation 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 Credentialing Director 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 Credentialing Director will refer the case to the Peer Review Committee for resolution consistent with these Procedures.

### **C. Ethics Inquiries / Ethics Charge Statement Process**

1. **Ethics Inquiries.** The Credentialing Director will record all ethics inquiries and identify the person(s) making the inquiry, the Certificant/Candidate 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 it may be released for review to cooperating agencies and organizations.

**Ethics Charge Statements / Description of Charges.** In order for BOC to consider an ethics complaint, a complainant other than BOC must complete and submit to the Credentialing Director 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. The Credentialing Director will send letters 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. **Receipt of Charge.** When an Ethics Charge Statement is received by BOC, the Credentialing Director 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.
  - (d) If necessary, contact the complainant and request additional factual material.
2. **Charge Acceptance.** The Credentialing Director 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 BOC Certificant or Candidate.
  - (b) Whether the allegations constitute a violation of the Code.
  - (c) The passage of time since the alleged violation occurred.
  - (d) Whether relevant and reliable information concerning the charge is available.
  - (e) Whether the complainant is willing to provide documentation or other information to BOC concerning the complaint.
  - (f) Any other facts or circumstances deemed relevant by the Credentialing Director.

The Credentialing Director 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.

3. **Charge Rejection.** If the Credentialing Director determines that an allegation should not become the subject of a formal Ethics Complaint, the Credentialing Director will reject the charge(s). The Credentialing Director will notify the complainant by letter within approximately twenty-one (21) days of the determination.

The Credentialing Director's decision is final and not subject to challenge or appeal. If the complainant discovers new or additional information that he or she believes constitute an ethics violation, he or she may submit a new Ethics Charge Statement.

### **E. Ethics Complaints and Investigation Notices**

- 1. Ethics Complaint and Investigation Notices.** After an ethics charge is accepted, the Credentialing Director will issue a formal Ethics Complaint and Investigation Notice identifying each Code violation alleged and the supporting factual basis for each complaint. This Notice will be delivered to the respondent at the respondent's email address and at the last known address(es) by certified mail under "Restricted Delivery" with a return receipt requested. It 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 Credentialing Director. If the respondent does not request a hearing, the complaint will be resolved by the Credentialing Director under Section H of these Procedures.

### **F. Ethics Complaint 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.
  - (c)** Any other information that the respondent believes will assist BOC in considering the Ethics Complaint fairly.
- 2. Response Deficiencies.** The Credentialing Director may require the respondent to supplement existing documentation or provide additional information or documents.

### **G. Preliminary Actions and Orders**

- 1. Suspension of Certification.** The Credentialing Director may issue a Preliminary Suspension Order involuntarily suspending the respondent's certification(s). In addition, 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 return any BOC certificates 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 Credentialing Director determines that the ethics charges constitute a potential danger to public health or safety.
- (i) If the CEO or Credentialing Director determines that the interests of the public or BOC warrant the immediate suspension of the respondent's certification.

3. **Other Preliminary Orders.** The Credentialing Director 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.
4. **Failure to Comply with Preliminary Orders.** The Credentialing Director may sanction a respondent who fails to comply with a Preliminary Order. The Credentialing Director will consider the severity of the failure to comply and other relevant factors in determining the appropriate sanction (e.g. extending suspension).

## H. Complaint Resolution

1. **Credentialing Director Resolution of Complaints.** The Credentialing Director decides all matters in which BOC is not the complainant. The Credentialing Director 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, or at the request of the Credentialing Director. 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 three to five members, which includes a Chair and Vice Chair appointed by the Board Chair. Two-thirds of 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 (unless the complainant is BOC) or respondent.

## I. Hearing

1. **Hearing Chair.** As the case may be, whether the Credentialing Director 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 Credentialing Director in consultation with the parties involved. Each Hearing will be held at a physical or virtual site determined by the Credentialing Director. If practical, each hearing will be held no less than thirty (30) days and no more than one hundred and twenty (120) days from the receipt of an Ethics Charge Statement by the Credentialing Director. Hearings will not be held prior to the date permitted in these rules in order to permit each party to submit a Response or Reply.

- 3. Hearing Notice and Attendance.** The Credentialing Director will notify the Peer Review Committee, the respondent and other appropriate 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 participate in the hearing; if so, the telephone number where the party is to be reached during the hearing.
  - (b) 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.
  - (c) 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 each witness's proposed testimony.
  - (d) 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 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 may request a hearing postponement. This request must be in writing and received by the Credentialing Director at least seven (7) days before the Hearing date or as soon as practical. 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.
- 6. Responsibilities and Rights of the Parties.** In addition to other responsibilities and rights, the respondent 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 his or her behalf.
  - (c) Comply with all orders or directives issued by the Credentialing Director.
- 7. Witnesses.** At the discretion of the Hearing Chair, witnesses may be excluded from the hearing except during the presentation of their testimony.
- 8. Confidentiality/Inclusion of Other Persons.** All hearings are confidential and private. No third parties are permitted without consent of the Hearing 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 for 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 may 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 a 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 Credentialing Director and may be denied at his or her sole discretion and such decisions cannot be appealed.
- 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 similar evidence. 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 thirty (30) days of the closing of the case record or as soon thereafter as practical. The Decision and Order shall be delivered to the respondent. In the sole and absolute discretion of BOC, the Credentialing Director may make the Decision and Order available to third parties, including the complainant.
- 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 violation charged.
  - (d)** A statement of any disciplinary action(s) and/or sanction(s) issued.
  - (e)** Any other material that the Credentialing Director 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, 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 Certificant/Candidate 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 violation(s).
  - (d)** 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 professional activities.
  - (e)** 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 certification-related materials for the suspension period and immediately stop any and all professional identification or affiliation with BOC during the suspension period.

- (f) 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 certification-related materials and stop immediately any and all professional identification or affiliation with BOC.
- (g) Any other sanction deemed reasonable and appropriate by BOC.

2. **Referral and Notification Actions.** The Credentialing Director may notify appropriate government or professional bodies of any final disciplinary action taken against a respondent by sending a copy of the Decision and Order issued by the Credentialing Director, the Peer Review Committee, or the Board Chair. Such notification may be sent by the Credentialing Director at any point after the time period for the respondent to appeal an adverse decision has lapsed. The Credentialing Director 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 Credentialing Director 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 Credentialing Director 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 Credentialing Director may deny such requests and such decisions cannot be appealed. BOC will not be subject to any actions as a result of releasing or not releasing such information.

#### **L. Appeals of Credentialing Director Decisions**

In the event that the respondent appeals the decision of the Credentialing Director, 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 Credentialing Director, the matter will be considered final and no other appeal will be 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 may appoint members to the committee 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 Decision and Order of the Peer Review Committee stands.

1. **Time Period for Appeals to the Board 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, as the case may be, to the Peer Review Committee or the BOC Board Chair pursuant to this Section. Any appeals received beyond this time period will not be reviewed or considered by the Board Chair.
2. **Grounds for Appeal to the Board Chair.** An adverse Decision of the Peer Review Committee may be reversed or otherwise modified by the Board Chair. However, the grounds for appeal of an adverse decision are strictly limited to the following:
  - (a) **Procedural Error:** The Credentialing Director 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 or her possession, that was not reasonably available prior to closure of the record, and could have affected the Credentialing Director or Peer Review Committee Decision.

- (c) **Misapplication of the Code:** The Credentialing Director or Peer Review Committee Decision has misapplied the provisions of the Code and the misapplication prejudiced the respondent.
  - (d) **Contrary to the Information Presented:** The Credentialing Director 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 Board Chair under this Section, the respondent must submit a letter or other document to the Board Chair in care of the Credentialing Director, within the prescribed time period, which contains the following information and material:
- (a) The ethics case name, case number, whether the case was decided by the Credentialing Director or the Peer Review Committee, and the date of the Decision.
  - (b) A statement of the grounds for the appeal under Subsection M.3, above and a complete explanation of the reasons that the respondent believes that the Decision should be reversed or otherwise modified.
  - (c) Accurate, complete copies of any material that supports the respondent's appeal.
4. **Appeal Deficiencies.** The Board 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 be invited to submit to the Board Chair a Response to the Appeal by letter or similar document. If requested and submitted, this Response must fully explain any objections that the complainant has concerning the appeal.
6. **Board Chair.** Within sixty (60) days after the submission of a complete appeal, or as soon after as practical, the Board Chair will issue an Appeals Decision and Order stating and explaining the outcome of the appeal. With respect to each appeal, the Board 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 Board Chair.
  - (c) The ruling(s) and decisions with respect to each matter under appeal.
  - (d) The Board 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 Board Chair's Decision and Order shall be sent to the respondent via U.S. mail with a return receipt requested or via another appropriate delivery method.

## N. Finalizing and Closing Ethics Cases

1. **Events That 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 Credentialing Director, the Peer Review Committee, or the Board Chair pursuant to these Procedures.

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

2. **Events That 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 Board Chair will be final, and no further appeals will be 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 Credentialing Director 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 Credentialing Director 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 Credentialing Director, the Peer Review Committee, or the Board Chair, the Credentialing Director will determine whether the respondent has or has not satisfied the terms of the probation order and will do one of the following:
  - (a) If the respondent has satisfied the terms of probation in full, the Credentialing Director will immediately verify that the probation has been completed and reinstate the Certificant/Candidate to full certification status.
  - (b) If the respondent has not satisfied the terms of probation in full, the Credentialing Director 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 Credentialing Director 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, case 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.
  - (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 with a return receipt requested or via another appropriate delivery method.