

NORTH CAROLINA LOCAL HEALTH DEPARTMENT ACCREDITATION BOARD
Board

Adjudication & Appeals Procedures

Manual:	<u>Applicable Signatures/Title</u>
Section:	Administrator:
Distributed to/Date:	Board Chair:
	NCIPH Director:
	Effective Date:
	Supercedes:

Policy: The North Carolina Local Health Department Accreditation (NCLHDA) Board shall determine accreditation status of local health departments by acting on the recommendations of the Site Visit Team (SVT). Local health departments shall have the right to appeal:

1. not met activities or the accreditation recommendation made in the site visit report
2. the accreditation status determination of the Board

Purpose: The Board serves as the adjudicating body for the NCLHDA program. In this role, the Board assigns accreditation status to local health departments. There will be instances when a local health department will disagree with the Board’s assignment of accreditation status, may wish to present further evidence to the Board, or may wish to appeal information that was stated in the SVT report.

Definitions:

Adjudication – the process whereby the Board determines the accreditation status of a local health department

Appeal – a written objection made within 10 calendar days of the Board’s decision regarding accreditation status, stating the specific decision and basis for the objection

Appeals Committee – A standing committee of the NCLHDA Board. “It is the duty of this committee to receive appeals from local health departments and to schedule hearings, if held. The committee shall be composed of five members with the Board Chair serving as chair of the committee. Other members, which shall be appointed by the Board Chair, are one health director, one commissioner, one Board of Health representative, and one at large Board member.” *(from the NCLHDA Board Operational Guidelines, Approved, 04-11-08)*

Applicable Law, Rules and References:

- § 130A-34.1.(e)(6)
- § 130A-34.1.(g)
- 10A NCAC 48A .0203 Board Action
- 10A NCAC 48A .0204 Informal Review Procedures

Responsible Person(s):

The Accreditation Administrator (AA) receives appeals from local health departments on behalf of the Board. The Board Chair receives notice of the appeal and forwards to the Appeals Committee. The Appeals Committee hears the appeal and makes a final recommendation to the Board. The Board makes adjudicating decisions and acts on recommendations of the appeals committee.

Procedures:

Adjudication

1. A Board meeting is scheduled at least quarterly to hear the recommendation for accreditation status from the Lead Site Visitor (LSV). The LSV or designee represents the SVT in presenting the report to the Board. Any other SVT members who wish to be present may attend the board meeting.
2. The local health department shall have the opportunity to respond to the presentation.
3. Upon the local health department's request, the Board shall grant the local health department an extension of an additional 21 calendar days to submit additional written information to the Board. The purpose of this additional material is to support the claims of the local health department for accreditation status, or be offered as evidence toward an unmet activity.
4. If no request for an extension is made, the Board may:
 - a. Take action on the Site Visit Team's recommendation
 - i. The Board shall assign the following accreditation status:
 - "Accredited" to a local health department that satisfies the accreditation standards
 - "Conditionally accredited" to a local health department that, in its initial accreditation application, fails to satisfy the accreditation standards
 - "Unaccredited" to a local health department that had continued to fail to meet accreditation standards after the maximum (two years) period of conditional accreditation
 - b. Request additional information from the local health department and defer action on the recommendation to a later meeting
 - i. Action shall be taken within 90 days of the presentation of the site visit report to the Board
5. If a local health department is given conditionally accredited status:
 - a. The period of conditional accreditation shall expire two calendar years after conditional accreditation is granted.

- b. The Board shall provide to the local health department a written statement of the conditions that must be satisfied in order for the local health department to be accredited.
 - c. At any time during the two-year period, the local health department may request that its status be reviewed and changed from "conditionally accredited" to "accredited."
 - d. If the Board finds that the conditions have been met, the Board shall change the local health department's status to "accredited" with the accreditation period to expire four calendar years after the conditional accreditation was initially granted.
 - e. If the Board finds that the conditions have not been satisfied, the local health department shall continue under its grant of conditional accreditation unless the two year maximum conditional accreditation period has expired.
 - f. During the conditional accreditation period, the local health department may apply again for accreditation.
6. If the Board assigns a status of "conditionally accredited" or "unaccredited," the local health department may make a written request within 10 calendar days for reconsideration of the decision.
 7. The written request shall state the specific objections to the decision and the basis for those objections.
 8. The request is to be mailed to the AA.
 9. The AA notifies the Board Chair that an appeal has been received.
 10. The Board Chair convenes the Appeals Committee and schedules a hearing within 30 days of receipt of the request.
 11. The AA notifies the local health department of the scheduled hearing date.
 12. The Board shall act on the request, with a recommendation from the Appeals Committee, within 60 calendar days of the receipt of the request.
 13. The decision of the Board is final and shall be communicated in writing.

Appeals of Information

1. The local health department may request in writing for the Board's consideration regarding the presentation of information it feels will clarify its position to change an "unmet" activity to "met".
2. The request is mailed to the AA.
3. The AA notifies the Board Chair that an appeal has been received.
4. The Board Chair determines if the appeal will be heard by either the Board or the Appeals Committee.
 - a. The appeal may be denied if it does not change the outcome of the recommendation for accreditation status.
5. If the appeal is to be heard, the Board Chair convenes the Appeals Committee who will consider the information presented by the local health department. The Appeals Committee may determine a response either through a committee meeting or through a formal hearing.
6. Should a hearing be held, a date is set by the Board Chair within 30 days of the receipt of the request.

7. The AA notifies the local health department of the hearing date.
8. The Board shall act on the request within 60 calendar days of the receipt of the request.
9. The decision of the Board is final and shall be communicated in writing.

Reference Plans and Policies:

NCLHDA Board Operational Guidelines