



## Policy on Appeals of Adverse Decisions

As amended by the Board of Directors, April 8, 2006

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### From the AVDC By-Laws ARTICLE III – APPEAL OF ADVERSE DECISION

#### Appeal Procedure:

In order for a person adversely affected by a decision of the AVDC to appeal the decision, s/he must submit a petition, in writing, to the Secretary of the AVDC. The petition shall include a statement of the grounds for reconsideration and documentation, if any, in support of the petition. The petition must be received by the Secretary within **20 days** of the date on which AVDC informed the affected party of the AVDC adverse decision.

The Appeals Committee shall investigate appeals of adverse decisions. The Appeals Committee shall be composed of four members appointed by the AVDC Board of Directors, one of whom shall be appointed as Chairperson. No member of the Appeals Committee may be an AVDC Officer or Member of the Board of Directors. No diplomate directly involved with the adverse decision or the petitioner may be a member of the Appeals Committee.

The Appeals Committee shall be charged by the Board of Directors within **5 days** of receipt of the petition. The Appeals Committee, once charged by the Board of Directors, shall investigate and make recommendations to the Board of Directors, within a time period which shall not exceed **45 days**.

The petitioner may request a hearing. The Board, at its discretion, may choose to invite the petitioner to attend a hearing of the Board or of the Appeals Committee on the appeal at a mutually convenient time and place, providing reasonable notice of the time and place to the petitioner by certified mail.

After reviewing the notice of appeal, supporting documentation, and other relevant material, the Appeals Committee shall make a recommendation and report to the Board of the AVDC. The Board will review the Appeals Committee report and, following a hearing if held, render a final decision. The Secretary of the AVDC shall notify the petitioner of the AVDC's final decision in writing by certified mail within **5 days** of receipt of the report from the Appeals Committee (maximum of **55 days** from receipt by AVDC of the petition to reconsider).

If the Board of Directors of the AVDC declines to reconsider or amend its decision to the satisfaction of the petitioner, the petitioner may request mediation by the American Board of Veterinary Specialties (ABVS). The Chairman of ABVS may call a meeting of the parties or their representatives. The meeting may be held at the American Veterinary Medical Association (AVMA) headquarters and may be chaired by the Chairman of the ABVS. The parties would be guided to seek equitable solutions. Neither the AVMA nor the AVDC will provide travel funds to the parties in dispute.

All correspondence and inquiries with regard to adverse decisions or appeals is to be submitted in writing to the Secretary of the AVDC.

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**Time Permitted for Appeals Processes**

Action	Number of Days Permitted Per Step	Maximum Cumulative Days From Transmission of Adverse Decision to Petitioner	Maximum Cumulative Days From Receipt of Appeal by AVDC Secretary
Transmittal of adverse decision by AVDC to petitioner	-	-	-
Preparation of the appeal by the petitioner and submission to AVDC	<b>20</b>	<b>20</b>	-
Initial AVDC Board consideration of the appeal and transmittal of charge to Appeals Committee	<b>5</b>	<b>25</b>	<b>5</b>
Appeals Committee consideration of appeal and transmittal of report to Board	<b>45</b>	<b>70</b>	<b>50</b>
Board consideration of report from Appeals Committee and transmittal of Board decision to the petitioner	<b>5</b>	<b>75</b>	<b>55</b>