



PATH Intl. Credentialing Council

Credentialing Grievance Review Panel Process

The PATH Intl. Credentialing Council defines a grievance as: an official complaint to report a violation of the PATH Intl. Certified Professional Code of Ethics and/or a PATH Intl. Standard as adopted by the PATH Intl. Credentialing Council and Board of Trustees.

If an individual has substantial reason and evidence to believe a PATH Intl. credential holder has violated the PATH Intl. Certified Professional Code of Ethics and/or standards or an individual is falsely reporting or misusing PATH Intl. credentials, a grievance may be submitted for investigation per the processes described below.

1. Initial review and logging the grievance

Grievances received by PATH Intl. will be forwarded to the Chair of the Path Intl. Credentialing Grievance Review Panel (CGRP) for review and determination that the complaint is complete. The Chair of the CGRP will then either:

- a. Reject the grievance for being incomplete and send a letter on behalf of the Credentialing Grievance Review Panel (CGRP) to the party bringing the complaint (“Complainant”); or
- b. Request more information from the Complainant; or
- c. Accept the grievance and log the grievance to be processed by the CGRP.

All grievances received by the CGRP shall remain confidential and shall be shared only with the members of the CGRP, the Complainant or his/her representative, the Respondent or his/her representative, the members of the CGRP, members of any appeals panel convened for said grievance, and any other interested parties to the complaint.

2. Notification of the Credentialing Grievance Review Panel Chair

Once logged, the Chair of the CGRP will forward the grievance to the CGRP to be added to the next meeting agenda of the CGRP.

The CGRP shall consist, at a minimum, of the PICC Vice-Chair who will serve as the Chair of the CGRP, a PATH Intl. Certified Therapeutic Riding Instructor (CTRI) and a PATH Intl. Advanced Therapeutic Riding Instructor. If the certified professional against whom the complaint has been lodged holds additional PATH Intl. certifications, the CGRP will include

additional certified professionals each holding one of the certifications held by the certified professional against whom the complaint has been lodged.

3. CGRP Review

CGRP members who have a conflict of interest arising from the filed grievance have a duty to report the conflict. If the CGRP determines any conflict of interest could materially affect the CGRP members' judgment, that member shall recuse themselves from any discussion or consideration of the matter. The CGRP will review the grievance and may either accept or reject it. If rejected, the CGRP chair will send a letter to the Complainant advising of the CGRP's action.

4. Notification of an Accepted Grievance

The CGRP Chair will inform the party named in the grievance ("Respondent") that a grievance has been filed and accepted and request a response, including any supporting documentation, from the Respondent within thirty (30) days. The following will also be sent to the Respondent:

- A copy of the grievance. Identifying information may be redacted in the CGRP's sole discretion if necessary to protect Complainant or confidentiality. In order to adhere to the principles of due process the CGRP should attempt to obtain permission to release the unredacted information.
- A list of the CGRP members that will review the matter in case the Respondent wishes to raise any conflicts of interest.
- Copies of the CGRP rules and procedures and disciplinary actions which may be taken.

Once a response is received, or thirty (30) days has elapsed, the grievance will be added to the next CGRP agenda for initial review.

5. Initial Review

The initial review process by the CGRP will review the grievance and the response. The CGRP will then either:

- a. Dismiss the grievance based on a finding of no merit, in which case the Complainant and the Respondent will both be notified of the decision of the CGRP.
- b. Request more information from the Complainant or Respondent, in which case a letter will be sent to the appropriate party requesting additional information which must be provided within thirty (30) days of the request.
- c. Recommend a hearing, in which case a letter will be sent to the Complainant and the Respondent notifying them that the grievance will advance to a hearing. Further,

Complainant and the Respondent will be instructed to notify the CGRP of any pending or proposed legal actions (civil, criminal, or administrative) related to the grievance.

6. **Hearing Process**

Hearings may be held by either teleconference, video conference or in person.

The Respondent must notify the CGRP on the following points:

1. Whether they will be present at the hearing via teleconference, video conference, in person or not attending.
2. Whether they will have legal counsel present, and the names and contact information of any legal counsel.
3. Whether they will call witnesses and, the names and contact information of any witnesses.
4. Whether they will have the hearing transcribed by a court reporter at their expense.

The Complainant must notify PATH Intl. on the following points:

1. Whether they will be present at the hearing via teleconference, in person, or not attending.
2. Whether they will have legal counsel present, and the names and contact information of any legal counsel.
3. Whether they will call witnesses, and the names and the contact information of any witnesses.
4. Whether they will have the hearing transcribed by a court reporter at their expense.

Failure of either party to respond to any point by an established deadline, subject to the discretion of the CGRP, means that the individual has waived their right to that point.

7. **Hearing Agenda and Order of Testimony**

The following agenda and order of testimony will be followed. The times are only suggested and may be modified by the Chair:

- Convening of Hearing by the Chair
- Introduction by CGRP Chair (5 minutes)
- Opening Statement by Complainant or their Attorney (10 minutes)
- Testimony by Complainant (15 minutes)
 - Questioning of Complainant by Respondent or their Attorney (10 minutes)
 - Questioning of Complainant by CGRP (10 minutes)
- Testimony of Complainant's Witnesses, if any (10 minutes)
 - Questions to the witnesses from the Respondent or their Attorney (10 minutes)
 - Questions from CGRP for witnesses (10 minutes)

- Testimony from the Respondent (15 minutes)
 - Questions from the Complainant or their attorney (10 minutes)
 - Questions from the CGRP (10 minutes)
 - Testimony of Respondent's Witnesses, if any (10 minutes)
 - Questions to the witnesses from the Complainant or their attorney (10 minutes)
 - Questions from CGRP for witnesses (10 minutes)
 - RECESS (30 minutes)
 - Closing Statement from the Complainant or their attorney (10 minutes)
 - Closing Statement from the Respondent or their attorney (15 minutes)
 - Rebuttal Closing Statement from the Complainant or their attorney (5 minutes)
 - Conclusion of Hearing and Dismissal of all Parties
- Closed deliberations of the CGRP

8. Hearings without a Complainant or party named in the grievance present

The CGRP will consider the evidence as presented by both parties in the grievance, written responses, and supplemental material.

9. Hearing Results

The CGRP may find in favor of the party named in the grievance and dismiss the grievance. The CGRP may find in favor of the Complainant, and will then decide upon the disciplinary actions to be taken. The results will not be determined or presented at the hearing, but will be sent in writing to both parties.

10. Appeals

The Respondent may file an appeal of the decision by the CGRP if the CGRP has violated its policies and procedures and/or the decision of the CGRP was not fair and reasonable taking into consideration all of the relevant facts and circumstances. The Chair of the PICC will appoint a three person appeals panel consisting of at least one PATH Intl. Grievance Committee member, a representative holding a PATH Intl. therapeutic riding credential, and a representative from a PATH Intl. Premier Accredited Center. No member of the PICC or the CGRP shall serve on the appeals panel. No member of the appeals panel may have a conflict of interest involving the Complainant or the Respondent. The appeals panel will review the documentation from the hearing, the processes and procedures, and any other relevant documentation. The appeals panel will not review or accept any new testimony or documents. If the appeals panel chooses to reverse the decision of the CGRP, a new hearing, held by a newly formed CGRP, shall be held pursuant to the procedures previously set forth for the initial grievance hearing. The new CGRP shall consist of the Vice-Chair and two new

representative members. There shall be no further appeals of the decisions made by the new CGRP panel. If the Appeals panel upholds the CGRP decision, no further appeals are allowed by the Respondent.

11. Substantial New Evidence

For a grievance that has been heard and closed, the Respondent may submit substantial new evidence that was not available at the time of the hearing, and petition that the case be reopened. The CGRP Chair will review the new evidence and decide whether or not to reopen the grievance.

12. Continuances

The Respondent may request a continuance of a scheduled hearing in writing. Continuances must be based on personal or business situations that impact the ability of the Respondent to provide an adequate defense. All requests for a continuance must be submitted in writing no less than 48 hours prior to the scheduled hearing date and time. A request for continuance will be presented to the CGRP Chair for consideration. The CGRP Chair will decide whether or not to grant a continuance.

13. Notes to Credentialed Professional Records

Disciplinary actions will be noted in the file of the Respondent. Credentialed professionals with three disciplinary actions in less than 10 years will be reviewed by a special panel appointed by the Vice-Chair of the PICC. The panel will convene a hearing with the credentialed professional participating to determine if the credentialed professional should be subject to revocation of the Respondent's certification(s) based upon the three disciplinary actions. This provision is in no way intended to limit the rights otherwise available to the CGRP or the PICC regarding termination of certification(s).