

## **ADA CERP COMPLAINTS POLICY**

### **COMPLAINTS**

Formal written complaints about recognized CE providers will be considered by the ADA CERP Committee if the complaint documents substantial noncompliance with the ADA CERP standards and criteria for recognition or established recognition policies. Complaints can be forwarded to the committee by course participants, course faculty, other ADA CERP approved CE providers, constituent dental societies, state boards of dentistry and other interested parties. Upon receipt of such a formal complaint, the committee will initiate a formal review of the provider's recognition status. Any such reviews will be conducted in accord with the ADA CERP policy on complaints, in a manner that ensures due process.

A recognized provider may also be reevaluated at any time if information is received from the provider or other sources that indicates the provider has undergone changes in program administration or scope, or may no longer be in compliance with the CERP standards and criteria for recognition.

### **COMPLAINTS POLICY**

The American Dental Association's CERP Committee is interested in the continued improvement and sustained quality of continuing dental education programs, but does not intervene on behalf of individuals or act as a court of appeal for individuals in matters not related to the ADA's Continuing Education Recognition Program (ADA CERP) standards and criteria or established recognition policies. If a complaint includes matters that are currently the subject of, or directly related to, litigation, the CERP Committee will not proceed with consideration of the complaint until the litigation is concluded.

Potential complaints will be evaluated to ascertain that they pertain to ADA CERP standards and criteria and/or recognition policies. A potential complainant will be asked to provide complete information and documentation about the alleged lack of compliance with the standards and criteria or recognition policies.

The ADA CERP Committee will consider appropriate complaints against ADA CERP-recognized programs from course participants, faculty, other ADA CERP recognized providers, constituent dental societies, state boards of dentistry and other interested parties. The ADA CERP Committee may initiate a complaint or inquiry about an ADA CERP recognized provider. In this regard, an appropriate complaint is defined as one alleging that there exists a practice, condition or situation within the program of an ADA CERP-recognized provider which indicates potential non-compliance with ADA CERP standards and criteria or established recognition policies. The ADA CERP Committee will review documentation and determine the disposition of such complaints.

Attempts at resolution between the complainant and the provider should be documented prior to initiating a formal complaint. Only written, signed complaints will be considered by the ADA CERP Committee. The complaint will be considered at the earliest possible opportunity, usually at the next scheduled semi-annual meeting of the ADA CERP Committee. When setting this date, the due process rights of both the provider and the complainant will be protected to the degree possible.

The following procedures have been established to review appropriate complaints:

1. The complaint will become a formally lodged complaint only when the complainant has submitted a written, signed statement of the program's non-compliance with a specific standard and/or recognition policy; the statement should be accompanied by documentation

of the non-compliance whenever possible. The confidentiality of the complainant shall be protected, except as may be required by legal process.

2. The continuing dental education provider will be informed that ADA CERP has received information indicating that compliance with a specific standard or recognition policy has been questioned.
3. The provider will be required to provide documentation supporting its compliance with the standard or policy in question by a specific date (usually within 30 days). The ADA CERP Committee reserves the right to seek additional information from the provider, including but not limited to course evaluation forms completed by participants and the names, addresses and telephone numbers of all course participants. The ADA CERP Committee also has the right to seek information from alternate sources including, but not limited to, surveys of program participants, on-site visits, observation of the provider's CE activities, or other means considered necessary to determine whether the CE provider is in compliance with the standards and criteria. Refusal or failure to provide all requested information, or to cooperate with the Committee's information-gathering efforts, will be considered cause for withdrawal of the provider's recognition status.
4. The provider's report and documentation, as well as any additional information obtained from other sources, will be considered by the ADA CERP Committee at or before the Committee's next regularly scheduled meeting.
5. Following consideration, the ADA CERP Committee will take action, as follows:
  - a. If the complaint is determined to be unsubstantiated and the provider is found to be in compliance with ADA CERP standards and criteria or established recognition policies, the complainant and the provider will be notified accordingly and no further action will be taken.
  - b. If the complaint is substantiated and it is determined that the CE provider is not in compliance with the standards and criteria or established recognition policies, the ADA CERP Committee may either request additional information or initiate action to withdraw recognition. CERP may:
    - postpone action until the next meeting pending the receipt of additional information through a comprehensive re-evaluation of the provider; a written report by the provider documenting progress in meeting the relevant standards or policies prior to the next regularly-scheduled meeting of the ADA CERP Committee, a personal appearance by the complainant and/or the provider or their representatives before the ADA CERP Committee to present oral testimony in support of the written documentation provided. The complainant and the provider may be represented by legal counsel. The costs to the complainant and the provider of such personal appearances and/or legal representation shall be borne by the complainant and the provider, respectively; or
    - withdraw the provider's recognition status per ADA CERP Procedures.
6. The complainant and the provider will receive written notice of the CERP Committee's action on the complaint within thirty (30) days following the CERP Committee meeting.
7. The records/files related to such complaints shall remain the property of the ADA CERP Committee for five years and shall be kept confidential. After five years, these records will be destroyed.

*ADA CERP Complaints Policy*

Adopted: October 1996, April 2006, November 2007, April 2010