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**Guidelines and Procedures for Processing Complaints Against Fellow Designees**

The IARP Life Care Planning IALCP Section provides the following guidelines and procedures for alleged violations of the Standards of Practice for Life Care Planning. All allegations are heard by the IARP Life Care Planning IALCP Section Peer Review Committee comprised of Fellows appointed by the IARP Life Care Planning IALCP Section Board of Directors. Please be aware that the process should not be construed as a legal process designed to resolve legal issues, but rather an information process in which many legal structures and conventions are not observed.

**1.00 Jurisdiction**

**1. A** Types of Complaints: A complaint may be filed by any individual or organization.

**1. B** Anonymous Complaints: The IARP Life Care Planning IALCP Section will not honor or investigate any anonymous complaint.

**2.00 Disciplinary Actions/Options**

The Peer Review Committee is entitled to take any one of the following actions upon a confirmation of the alleged infractions(s):

**2. A** Probation: The committee may place the credentialed professional on probation. This will require that the Fellow submit materials for blind peer review of additional life care plans completed within one year of being placed on probation. These plans will undergo the established process for review of applicants to determine whether the accused is following Standards of Practice for Life Care Planning. The committee may require that the life care plans be reviewed completely or undergo focused review on certain aspects of life care planning practice.

**2. B** Cease and Desist Order: Require the accused Fellow to cease and desist the challenged behavior.

**2. C** Revocation: The Peer Review Committee may revoke the Fellow designation which the life care planner obtained through the IARP Life Care Planning IALCP Section, with notification of revocation disseminated to his or her professional organizations, certifications and licensing boards as deemed appropriate. The Peer Review Committee may recommend that the IARP Life Care Planning IALCP Board deny reapplication when a Fellow designation has been revoked.

**3.00 Processing of Complaints by IARP Life Care Planning IALCP Section**

**3.A** Initial Action by IARP Life Care Planning IALCP Section Board of Directors, through the IARP Executive Director

**3.A.l** Ascertain the credential status of the accused.

**3.A.2** Confer with Peer Review Committee Chairperson regarding the legitimacy of the complaint.

**3.A.3**  Review complaint with IARP legal counsel once Committee Chairperson has reviewed and affirmed the legitimacy of the complaint.

**3.B** Acknowledgement of Complaint: Within thirty (30) days of receipt of a formal complaint, the IARP Executive Director shall:

**3.B.1** Direct a letter to the individual/organization that initiated the complaint acknowledging acceptance or rejection of the complaint.

**3.B.2** If the decision to accept the complaint is made, assist the Peer Review Committee Chairperson to assemble the appropriate three reviewer panel comprised of Peer Review Committee members.

**3.B.3** If the complaint is accepted by the Peer Review Committee and approved by the IARP legal counsel, the Executive Director shall send a notice of complaint to the accused. The notice shall: 1) be sent by certified mail; 2) be marked "Confidential"; 3) state the portion of the Standards of Practice relevant to the allegations of the complaint; 4) enclose a copy of the complaint; 5) enclose a copy of the IARP Life Care Planning IALCP Section Standards of Practice; 6) direct the accused to respond to the allegations in writing, within thirty (30) days and state whether the accused requests a review by the Peer Review Committee; 7) inform the accused that failure to respond in writing within thirty (30) days may result in termination of his or her credential.

**3.B.4** If a review is requested, the Peer Review Committee will request documentation about the alleged infraction, including a copy of the life care plan in question and any supporting materials. The life care plan and materials may be sanitized for confidentiality. Reviewers will conduct a blind review (i.e., will not know the identity of the life care planner). The reviewers' decision will be identified in writing and sent to the Fellow under review via certified mail.

**4.00 Appeals Process**

**4.A.** Rights of the Appellant (Fellow placed on probation or has designation revoked)

**4.A.1** The Appellant has the right to appeal any decision of the Peer Review Committee regarding his or her case in question.

**4.A.2** The appeal of the Peer Review Committee's decision must be made within a thirty (30) day period from receipt of decision notification.

**4.B Process**

**4.B. 1** The appeal is forwarded to the Association office where it is reviewed by the IARP Executive Director.

**4.B.2** The Executive Director reviews the Appeal request and certifies its validity.

**4.B.3** The Executive Director forwards the Appeal request to the Chairperson of the Peer Review Committee. The Chairperson assembles a 3-person Appeals Panel comprised of one of the original reviewers of the complaint and two reviewers who were not involved in the original review.

**4.B.4** The Appeals Panel reviews the appeal and renders a decision regarding the validity of the earlier ruling with the facts presented in the original review as well as new information if submitted. The appeal process is not a blind review process.

**4.B.5** The Appeals Panel may submit questions in writing to the Appellant; responses from the Appellant must be provided in writing. Answers are required within a 30- day period from the date of the receipt of the certified mail certificate of the Panel's written questions. Failure to respond to the Panel within the 30-day period results in affirmation of the original decision. The Appellant does not have the right to ask questions of the Panel.

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