

AAOS PROFESSIONAL COMPLIANCE PROGRAM GRIEVANCE PROCESS

GRIEVANCE SUBMITTED TO AAOS OFFICE OF GENERAL COUNSEL (OGC)

- Grievance must follow required format and include signature and all relevant supporting material
- OGC notifies Grievant in writing that Grievance Report and materials have been received
- OGC provides Grievant with copy of current Professional Compliance Program (PCP) Procedures

OGC CONDUCTS ADMINISTRATIVE REVIEW

- May return Grievance material for non-compliance with required format
- Establishes filing date once Grievant submits all appropriate materials
- Advises Respondent in writing that Grievance has been filed and forwards copies of Report and materials submitted by Grievant
- Provides Respondent with copy of current PCP Procedures and opportunity to respond to Grievance
- Forwards copies of all Respondent material to Grievant
- **Distributes Grievance materials submitted by both parties to Committee on Professionalism for *prima facie* determination**

COMMITTEE ON PROFESSIONALISM DOES NOT ACCEPT GRIEVANCE

- Grievance not appropriate OR
- No *prima facie* case found to exist based on submissions
- OGC notifies Grievant and Respondent In writing

COMMITTEE ON PROFESSIONALISM (COP) ACCEPTS GRIEVANCE

- OGC notifies Grievant and Respondent in writing
- OGC provides both parties with Grievance Hearing Panel names
- Parties have 30 days to challenge appointment of Panel members

GRIEVANT MAY DEMAND A HEARING

- Grievant has 15 days to make demand
- OGC notifies Respondent of Demand Hearing
- Grievant assumes all Hearing costs, including Respondent's costs, if charges are not sustained

COP GRIEVANCE HEARING

- Hearing officially recorded
- Grievant expected to attend Hearing
- Grievant and Respondent permitted legal counsel and witnesses
- Each side has total of 30 minutes to present
- Hearing Panel may ask questions

No Action: Committee on Professionalism determines there are no violations; Grievance closed unless appeal is requested

Unofficial Action: Committee on Professionalism determines Grievance is not sustained, but that a confidential Letter of Concern be sent to one or both parties; Grievance closed unless appeal is requested

HEARING PANEL VOTES ON RECOMMENDATION

- Written Report and Recommendation sent to Grievant and Respondent and, for Official Actions, to AAOS Board of Directors
- **Official Actions:** Censure, Suspension Or Expulsion

PARTIES MAY APPEAL COP RECOMMENDATION

- When Grievant requests appeal: Assumes all Appeal Hearing costs, including Respondent's, if decision is substantially similar to COP's
- No new Grievance material may be offered at the Appeal Hearing
- OGC provides both parties with names of Judiciary Committee Panel
- Parties have 30 days to challenge appointment of Panel members

JUDICIARY COMMITTEE HEARING

- Party challenging the COP Report and Recommendation is expected to attend Appeal Hearing
- Both parties may make statements to Judiciary Committee; each side has 10 minutes to present

JUDICIARY COMMITTEE VOTES ON RECOMMENDATION

- Majority vote required to sustain, alter or dismiss the COP Hearing Panel's Recommendation
- Written Report and Recommendation sent to both parties and AAOS Board Of Directors

BOARD OF DIRECTORS

- Receives records, COP and Judiciary Committee Reports and Recommendations
- Parties may present to Board of Directors only if Grievance was pursued to appeal before the Judiciary Committee
- Requires two-thirds (2/3) written ballot vote to take Official Action
- Notifies both parties of **FINAL OFFICIAL PROFESSIONAL COMPLIANCE ACTION**

OGC REPORTS OFFICIAL ACTION TO:

- Fellowship
- National Practitioners Data Bank (NPDB)
- American Board of Orthopaedic Surgery (ABOS)
- State Medical and Orthopaedic Societies, Licensing Boards and Other Appropriate Organizations