



## **CMLA Policy**

### **Title: Appeals Process for Accreditation Decisions**

**Purpose:** There will be occasion when applicants for accreditation will not agree with, and may want to dispute, CMLA Board decisions with regard to accreditation status. Therefore, a policy has been established allowing for decision appeal and procedures are described to guide the appeal process.

**Request for Review:** A lab that has received an accreditation decision that does not meet their expectations shall be given prompt attention. CMLA shall furnish the lab director with a copy of the *Appeals Process of Accreditation Decisions (this document)*. The lab director will have been notified of the reason(s) for the Board's decision in the review notification letter. In that letter the lab director will be informed about his/her right to seek review of the decision by filing an electronic request for reconsideration.

### **Policy:**

1. Only electronically submitted appeals will be accepted and must be submitted on-line at [www.cmlainc.org](http://www.cmlainc.org). Appeals should be uploaded to the application forum in the same manner as the original application.
2. Reviewable Decisions: The following decisions affecting accreditation or re-accreditation by CMLA are subject to appeal:
  - a. Refusal to accept application
  - b. Refusal to proceed with an application review
  - c. Provisional Accreditation
  - d. Application Under Review
  - e. Change of accreditation status
  - f. Any other action that impedes the attainment of accreditation (or recommendation for notified body status)
3. Timeframe: Any applicant or accredited lab may formally request CMLA to reconsider a decision by submitting an appeal electronically to the CMLA President within thirty (30) days of the date of the decision. Appeals submitted after thirty (30) days of the date of the decision will be denied.
4. Appeal Review Committee: The CMLA President will appoint a three-member review committee, one of which must be a Board member.
5. Bias: Members of the Appeal Review Committee (ApRC) must consent to the following:
  - a. They shall not have participated in the most recent review.

- b. They shall not have or have had any close personal relationships or professional ties with the lab or lab director.
- c. They shall declare any potential conflict of interest.
- d. Any questions regarding potential conflict of interest shall be resolved by the CMLA President (or designee).

### **Procedure:**

1. The process is initiated by the appealing laboratory by submitting an appeal online by uploading to the application forum in the same manner as the original application.
2. The request must be submitted to CMLA no more than thirty (30) days after receipt by the lab director of the notice of the accreditation decision.
3. The appeal request must contain a statement regarding reason(s) the lab director believes that the decision was improper and must include supporting documentation for why re-examination should take place.
4. All appeals will proceed with the Appeal 1 process first (see below). A request for Appeal 2 must be accompanied by a check or money order payable to CMLA in the amount of \$250 to partially cover administrative costs associated with the appeal process. **Note: Any decision that is subject to an appeal will remain in force until a change is agreed to at the end of Appeal 1 or Appeal 2.**
5. After uploading the appeal, CMLA will acknowledge receipt in the application forum, and then the CMLA President will be immediately notified of the appeal. The appeal review process will then proceed as follows:

### **Appeal 1**

1. CMLA will acknowledge the appeal within five (5) business days.
2. The CMLA President or designee, who has not been directly involved in the assessment or decision-making process for the lab, and who is familiar with the relevant CMLA requirements and processes, will investigate the appeal.
3. The investigation will be completed and the appellant informed of the decision within twenty-one (21) business days of acknowledgment of receipt.
4. If the appeal is upheld, CMLA will take appropriate corrective action to change the decision and address any issues.

### **Appeal 2**

1. The appellant may request that an ApRC be appointed to further consider the appeal. The request must be received within three (3) calendar months of the notification of the outcome of Appeal 1, after which the appeal will be closed.
2. The ApRC will be appointed by the CMLA President.
3. The appellant will have an opportunity to examine ApRC membership for potential conflict of interest and make one objection.
4. The ApRC will consider the documentation and make a recommendation to CMLA Board of Directors within thirty (30) business days of receipt of the request for a review.

5. The CMLA President will make the final decision and inform the appellant of the appeal outcome within five (5) business days of receipt of the recommendation from the ApRC. A copy of the conclusion and recommendations of the ApRC will be provided to the appellant.
6. The appellant may withdraw the appeal at any time during the process. If for any reason an appeal is withdrawn, further reconsideration will not be extended.