



SUMMIT POINTE POLICY AND PROCEDURE MANUAL

Section: Corporate Compliance	Policy Name: Appealing a Compliance Decision	Policy Number: 3.1.5
Owner: Corporate Compliance Director	Applies To: <input checked="" type="checkbox"/> Summit Pointe Staff <input checked="" type="checkbox"/> Summit Pointe Contract Providers <input checked="" type="checkbox"/> Summit Pointe CCBHC Services <input type="checkbox"/> Summit Pointe CCBHC DCO Providers	
Approved By: <i>Jean M. Soodnick</i>		
Version Number: 3	Revised Date: 01/12/2024	First Effective Date: 11/01/2018

I. **PURPOSE:**

To outline the process to appeal a Compliance determination.

II. **DEFINITIONS:** Refer to the “Summit Pointe Policy and Procedures Definitions Glossary.”

III. **POLICY:**

An aggrieved provider shall have an opportunity to appeal certain decisions made by the Summit Pointe Compliance Director. This policy outlines decisions which may be appealed and the procedure for appeal.

IV. **PROCEDURE:**

Decisions That May Be Appealed:

The following decisions may be appealed to the Summit Pointe Senior Leadership Team:

- A final determination made by Summit Pointe’s Corporate Compliance Director that noncompliance has occurred and requires corrective action.
- A final determination made by Summit Pointe’s Corporate Compliance Director or Quality Assurance that a contracted/subcontracted provider submitted corrective action plan is not acceptable.
- A final determination was made by the Corporate Compliance Director regarding recoupment of federal monies paid to the provider.

Procedure for Appeal:

- Upon receipt of notice of the determination and request for corrective action plan, the aggrieved shall have thirty (30) calendar days to appeal the decision to the Summit Pointe Corporate Compliance Director and shall be made in writing.
- Written appeals not received by the Summit Pointe Corporate Compliance Director shall be deemed untimely and will not be considered. The notice of appeal must contain a description of the relevant facts and a detailed explanation of the reason(s) for the appeal.
- Upon timely receipt, the appeal shall be considered at the next scheduled Executive Team Meeting. An earlier meeting may be scheduled and convened if warranted.
- Appeals submitted by Legal Counsel representing the aggrieved will be reviewed by Summit Pointe Legal Counsel. The decision of Summit Pointe Legal Counsel is considered final.
- Prior to the meeting at which the appeal is to be considered, the aggrieved shall submit all documentation supporting his/her appeal.



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Conduct of The Meeting:

- The Summit Pointe Executive Team shall consider all the evidence brought before it when deciding an appeal. The Compliance Director will recuse him/herself from the meeting.
- Documentation: The appeal and any documentation submitted by any party or other materials relied upon by the Executive Team in making its determination, shall become a part of the meeting minutes. The team shall document, in the meeting minutes, the discussions pertaining to the appeal. The Executive Team shall not be required to record or transcribe oral evidence or require witnesses to testify under oath.
- Confidentiality: The record, which is composed of the meeting minutes and all the evidence, shall be considered confidential information.
- Decision: At the conclusion of the meeting, a decision shall be rendered. The decision shall be promptly communicated in writing to the aggrieved. The decision of the Summit Pointe Executive Team is considered final.

V. **REFERENCES:**

None

VI. **ATTACHMENTS:**

None