

COMPLAINT PROCEDURES

Council on Podiatric Medical Education

**CPME 925
October 2020**

Purpose of the Complaint Process

The Council on Podiatric Medical Education (CPME or Council) is concerned with the continued compliance of all entities (institutions, organizations, programs, and providers) (hereinafter referred to as entity) to which it has extended accreditation, approval, and recognition. The public, the podiatric medical profession, students, residents, fellows, educators, and others are thus assured of the ongoing integrity of the entities that have been granted CPME accreditation, approval, or recognition.

The following provisions describe the process by the Council to review and act upon formal complaints against sponsors of approved fellowships, approved residency programs, approved providers of continuing education in podiatric medicine, accredited colleges of podiatric medicine, and recognized specialty boards.

Limitations on CPME Authority

The Council cannot and will not act as a judicial board, mediator, or arbitrator in resolving disputes between or among individual parties. The Council will not intrude upon or interfere with the decisions of an entity to evaluate individual students, residents, fellows, or faculty, or of a specialty board to examine or certify candidates. The Council, however, may review published policies and the implementation of stated policies that affect such decisions.

For a complaint to be reviewable by CPME, it must relate to noncompliance with a CPME standard, requirement, or criterion, and/or to a specific procedure that has not been followed.

Who May File a Complaint

A complaint may be submitted by any individual or entity affected by the action or policy of a college of podiatric medicine, sponsor of a fellowship, sponsor of a residency program, provider of continuing education in podiatric medicine, specialty board, or other entity within the purview of CPME. The Council also may consider and act upon a complaint directed at its process or its activities. Students, residents, fellows, faculty, administrators, practitioners, patients, employees, or the public may file a complaint.

Before Filing a Complaint

The complainant must be able to:

- provide a detailed written description of the basis for their complaint, including evidence of how the complaint relates to noncompliance with a standard, requirement, or criterion, and/or to a specific procedure that has not been followed; and
- can demonstrate that efforts have been exhausted to resolve issues or problems by means of internal procedures available within the entity (not applicable for providers of continuing education when the complainant demonstrates no internal procedure is available). A complaint will be rejected if implementation of such internal procedures has not been attempted previously.

The Council discourages, but does not prohibit, the submission of complaints where the events of the subject matter occurred more than one year after exhaustion of internal procedures.

Confidentiality Requirements

Anonymous complaints will not be considered. Each complainant must provide his/her name, mailing address, and telephone number to Council staff.

The Council will exercise its best efforts to keep confidential the identity of each complainant who files a complaint, unless the person or entity representative has specified in writing that it is permissible to reveal his/her identity. If confidentiality is appropriate, all correspondence with the entity will maintain this confidentiality.

Because the Council must identify a complainant who files a complaint involving a due process issue, confidentiality is not possible. In the matter of due process reviews, the complainant must provide written consent to have his/her confidentiality waived before the complaint process can move forward.

Where a complaint involves both potential noncompliance with a CPME standard, requirement, or criterion and/or a specific procedure that has not been followed and a due process issue, the complainant may submit separate complaints, as appropriate and in accordance with the procedures herein.

Procedure to File a Complaint

The formal, written complaint **must** include the following:

- The full name(s) and signature(s) of the complainant(s).
- The mailing address(es) and telephone number(s) of the complainant(s).
- The name(s) of all the parties to which the complaint pertains, including their titles, and a brief description of how the parties are related to one another.
- Summary of the nature of the incident(s) and copies of any supporting documentation.
- Date(s) of the incident(s).
- The specific CPME standard(s), requirement(s), criterion(a), or procedure(s) impacted by the incident(s) and evidence to support noncompliance.

- A summary of efforts taken to resolve the incident(s) prior to submitting the complaint to CPME.
- A description of the status of any legal action related to the complaint.
- For complaints related to due process issues, a statement waiving the confidentiality of the complainant(s).

Complaints will be accepted by email, fax, or mail:

Email: CPMEstaff@cpme.org

Fax Number: 301-571-4903

Mailing Address: Council on Podiatric Medical Education
9312 Old Georgetown Road
Bethesda, MD 20814

Note: A fillable complaint form is available on the CPME website (www.cpme.org) for ease of submission of complaints.

CPME Procedure for Reviewing a Complaint

The Council will employ the following procedures in its review of written complaints:

1. Upon receipt of the complaint, a unique case file will be created in which all records related to the complaint will be maintained.
2. Within 30 calendar days of receipt of the written complaint, an initial evaluation of the complaint will be completed and a response will be provided to the complainant. During this initial evaluation, the complaint will be reviewed by a Council staff member and the CPME chair who may consult with the chair of the appropriate Council committee. The complaint also may be reviewed by legal counsel at the discretion of the CPME chair and CPME director.
 - If upon review, (a) the complaint is relevant and related to substantive issues pertaining to CPME standards, requirements, criteria, or procedures; (b) the complainant has exhausted the internal procedures available within the entity (not applicable for providers of continuing education when the complainant demonstrates no internal procedure is available); and (c) no additional information is required from the complainant, receipt of the complaint will be acknowledged and the complaint will be reviewed according to the complaint process and policies. If additional information is required from the complainant, the complainant will be contacted to request this information. Upon receipt of the requested information, the review process will continue.
 - The CPME chair is authorized to terminate a complaint based upon any one of the following:

- The complaint does not address substantive issues pertaining to CPME standards, requirements, criteria, or procedures
 - The complainant did not exhaust the internal procedures available within the entity (not applicable for providers of Continuing Education when the complainant demonstrates no internal procedure is available)
 - The complaint is incomplete due to the complainant's failure to submit requested follow-up information in a reasonable and timely manner
3. No later than 15 calendar days after the Council chair's decision to continue its review of the complaint, the chief executive officer (or designee) of the entity in question of the alleged complaint will be notified. The notice shall outline the nature and scope of the complaint and identify the specific CPME standards, requirements, criteria, and/or procedures in question.
 4. The entity must furnish a written response to CPME within 30 calendar days of the date of the initial notice confirming or denying, in whole or in part, the allegations of the complaint.
 - If an allegation is confirmed, the entity must describe the specific measures it has taken, or will soon implement, to ameliorate the source of noncompliance. The response also must include documentation of these efforts.
 - If the allegation is denied, the entity must respond with specificity and detail, furnishing supporting documentation and evidence, as appropriate.
 5. If the entity does not respond within 30 calendar days of the date of CPME's initial notice, a second notice will be sent. This second notice will include a warning that the Council can place the program on probation if the entity fails to respond within 30 calendar days of the second notice being sent. (See the applicable CPME procedural publications for information about the probation category.)
 6. If the entity has responded within the specified timeframe, the response will be reviewed and additional follow-up documentation may be requested. The entity must furnish the requested follow-up information to CPME within 15 calendar days of the date the request was sent.
 7. The completed file for this complaint shall be forwarded to the appropriate Council committee. The committee will develop a recommendation for the Council's consideration. While the Council committee and/or the Council will consider the complaint during their normally scheduled meetings, the committee and/or the Council may elect to consider a complaint by conference call, if the need arises. Once the Council has considered the committee's recommendation, the Council shall formulate a plan of action, if necessary, and transmit the final disposition to the complainant and to the entity. Following the consideration of the committee's recommendation, the involved parties of the final disposition will be notified of the Council's decision within 21 days.

Possible CPME Actions

The following list of actions represents those that the Council may consider following review of the complaint:

- Take no further action and so notify the parties because: (1) the complaint is determined to be invalid or (2) the response of the entity is found to sufficiently address the allegations.
- Request additional information, from either party, needed to pursue the complaint further.
- Refer the complaint back to the appropriate Council committee for further review. Such review shall occur no later than the time of the next scheduled meeting of the committee.
- Make recommendations to the entity, suggesting or requiring changes in procedures, adherence to laws, or compliance with Council standards, requirements, criteria, or procedures.
- Conduct a focused on-site evaluation of the entity in order to assess the matter in further detail. For example, the Council may conduct its own fact-finding investigation in order to determine whether policies are consistent with applicable standards, requirements, criteria, and procedures.
- Other recommendations or actions that are deemed to be appropriate under the given circumstances.

General Guideline/Procedure for Filing Complaints against the Council

Complaints against the Council shall be filed in accordance with the procedure outlined above. For example, complaints must be in writing, be specific, be accompanied by copies of relevant documents, and be signed by the complainant. Where appropriate, the complainant must make a diligent effort to obtain witnesses and submit signed witness statements along with the complaint. An entity is precluded from using this complaint process to supplement or otherwise extend any due process review afforded by CPME in the review of an accreditation, approval, or recognition decision.

Valid complaints will be referred to the chair of the Council who will appoint a 3-person complaint panel consisting of former CPME members. One of the panelists will be appointed as the chairperson of the complaint panel by the CPME chair. The complaint panel is charged with investigating the complaint and reporting its findings to the complainant and the CPME within 60 days.

The complaint panel is empowered to review complaints that relate to CPME's compliance with established policies and procedures. The complaint panel may take the following actions:

- a. Request further information or material relative to the complaint from the complaining party.
- b. Determine that the complaint is unsubstantiated or unrelated to CPME's compliance with established policies or procedures.
- c. Determine that the CPME may not be or may not have followed established policies or procedures. Accordingly, the Council, at its next meeting, shall review its noncompliant policies and procedures and either make necessary modifications to comply with its established policies or procedures, or revise/develop policies or procedures appropriate to reflect accepted accreditation and approval practices. The complaint panel and the complainant will be notified in writing of the CPME's final resolution of the complaint.

As a matter of policy, the Council maintains complete and accurate records of complaints, if any, against itself and makes those available for inspection on request at the CPME office.