



NATIONAL CONSORTIUM OF BREAST CENTERS
CANCER GENETICS AND RISK ASSESSMENT CERTIFICATION
PROGRAM

Appeals Policy

By

National Consortium of Breast Centers Certification Board



NATIONAL CONSORTIUM OF BREAST CENTERS CANCER GENETICS AND RISK ASSESSMENT CERTIFICATION PROGRAM

The National Consortium of Breast Centers Cancer Genetics Risk Assessment Program will receive and hear appeals of adverse certification decisions from NCBC certified individuals ("certificants") and applicants for NCBC certification ("applicants").

Appealable issue

An adverse certification decision may be appealed on the grounds that the NCBC did not properly apply specified certification eligibility criteria, or the decision was based on a factual error that affected the outcome. Adverse certification decisions include: denial of eligibility for initial certification, denial of recertification, suspension of certification or revocation of certification.

No appeal permitted

Individuals cannot appeal (1) the passing score or actions taken in setting a passing score; (2) actions taken against an individual's certification status as a result of a lack of valid medical license, unless proof of current, unencumbered licensure is submitted with the appeal; (3) establishment of eligibility or recertification criteria; (4) the examination or other measurement tool or individual test items; and (5) test content validity.

Appeal Procedure

Initiating the Appeal

An individual wishing to appeal an adverse certification decision (Appellant) of NCBC will submit a Notice of Appeal to the NCBC Executive Director, within thirty (30) calendar days of receipt of the adverse decision. The Notice of Appeal will include:

1. The grounds for appeal;
2. The envelope from NCBC showing the postmark date of the adverse decision;
3. Any new or additional information to be considered; and
4. Mailing address and email address where Appellant can receive communication regarding the appeal.

FAILURE TO FILE THE NOTICE OF APPEAL WITHIN THE THIRTY (30) DAY TIME PERIOD WILL RESULT IN DISMISSAL OF THE APPEAL.

Certification Pending Appeal



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An individual who appeals a decision to suspend certification, revoke certification or deny recertification will retain the certification held at the time the appeal was filed until the appeal decision is made.

The Appeals Committee

The President of the NCBC Certification Board shall appoint three disinterested NCBC Certification Board members to the Appeals Committee, which will meet monthly as needed to consider appeals. Members of the Appeals Committee may be replaced at the discretion of the NCBC Certification Board President. No member of the Certification Board that participated in the adverse decision being appealed will be appointed to the Appeals Committee.

The Appeals Committee will review and consider a properly filed appeal during its next most convenient regularly scheduled monthly meeting. The Appeals Committee will be given adequate time to review Appellant's submission before considering the appeal.

Review of Appeal

The appeal will not include a hearing or any similar trial-type proceeding. The Appeals Committee will only review the appeal on the grounds for appeal identified by Appellant in the Notice of Appeal. At any time after receiving the Notice of Appeal and before deciding the appeal, the Appeals Committee may, in its discretion, request that Appellant provide additional information or request information or an opinion from the appropriate Content Expert Panel regarding any aspect of the appeal. Only that information submitted with the Notice of Appeal or in response to a request by the Appeals Committee will be considered by the Appeals Committee in deciding the appeal. Written appellate submissions and reply submissions may be made by authorized representatives of the Appellant; including legal counsel; although, legal counsel is not required for an individual to participate in the appeal process. Reply submissions must be made according to whatever schedule is reasonably established by the Appeals Committee. The Appeals Committee will conduct and complete the appeal within ninety (90) days after receipt of the Notice of Appeal. The Appeals Committee, in its discretion, may extend the time for completing the appeal. The Appeals Committee may consult legal counsel. The decision of the Appeals Committee is final and binding upon Appellant, the Certification Board and all other persons.

Communication Written

Communication to the NCBC Certification Board Appeals Committee must be sent in a manner that confirms receipt (e.g. certified mail with return receipt requested or express mail with signature or delivery confirmation required), and addressed to: NCBC ATTN: Certification



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Manager PO Box 1334 Warsaw, IN 46581. Complaints sent via email should request confirmation of receipt and should not be considered delivered until confirmation is received.

Written communication to Appellant may be sent by email, regular U.S. mail or in a manner that confirms receipt (e.g., e-mail, certified mail, express mail with signature required) at the address indicated on the Notice of Appeal.