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## HEARING COMMITTEE ON ACCREDITATION

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### WHAT:

AAAASF's Hearing Committee on Accreditation conducts hearings to address appeals by facilities whose application for accreditation has been denied, or whose accreditation has been revoked. It also conducts hearings involving facilities which have been placed on emergency suspension or emergency probation.

### WHO:

The Hearing Committee is comprised of five members of AAAASF's Board of Directors. Participation on the Hearing Committee is subject to AAAASF's Conflict of Interest policy.

### FACILITY OPTIONS:

Within 60 days of notice of an adverse decision, the facility may submit written information on its behalf to demonstrate why the accreditation decision should be reversed. In the alternative, the facility may request a hearing at which it may present evidence to demonstrate that it has satisfied the requirements for accreditation.

### WRITTEN INFORMATION:

If the facility chooses to submit written information, it shall submit such evidence as it deems necessary to either establish that each previously-identified deficiency did not exist or that each such deficiency has been corrected. The Hearing Committee shall consider such evidence. The Hearing Committee may also in its discretion request supplementary evidence from the facility or surveyor(s), and may reach negative inferences if initially-submitted information is inconclusive or if supplementary evidence is not provided. In all cases the survey report(s) related to the accreditation decision shall be considered.

### HEARING PROCEDURE:

If the facility requests a hearing, the Hearing Committee will provide thirty days prior notice of the hearing date and the facility may, through its representatives, offer relevant information.

#### Place:

All requested hearings are held in person in the Chicago, Illinois area. Telephonic testimony is not permitted.

#### When:

Most hearings are convened within 30 – 60 days of a request, as committee members must clear and coordinate their schedules.

#### Cost:

The cost of a requested hearing shall be borne by the facility, and will include travel expenses and overnight expense for Hearing Committee members and counsel, related honorariums and fees, and the cost of a hearing facility and transcription. Such expenses should be expected to exceed \$20,000.

**Representatives:**

The facility may appear through its own representatives and may be represented by counsel if requested. If facility counsel will participate, written notice shall be given to AAAASF not fewer than twenty-one days prior to the hearing.

**Offers of Proof:**

The Hearing Committee may, in its sole discretion, allow offers of proof, establish the time to produce records or witnesses, exclude witnesses from the hearing when not testifying, and limit the scope of proof based on relevancy. Conformity with legal rules of evidence shall not be necessary, as the Hearing Committee will consider weight, relevance, and materiality. Survey-related documents related to the accreditation decision at issue shall automatically be included in the record. Inquiry shall not be made into matters that are attorney-client privileged or which involve attorney work product. Hearing Committee members may ask questions of each witness. Counsel present may also ask questions of witnesses or otherwise participate if permitted by the Hearing Committee. The hearing will not be open to the public, but shall be transcribed.

**Order of Proof:**

The Hearing Committee shall automatically be deemed to have accepted survey documents related to the accreditation decision into evidence. The Hearing Committee may in its discretion also receive testimony from the facility surveyors(s). A facility representative shall be permitted to be present during any such testimony. The facility shall next offer its proofs and the surveyor(s) may remain present for such proofs at the discretion of the Hearing Committee. The Hearing Committee may subsequently receive rebuttal from the surveyor(s) or such other witnesses as the Hearing Committee may deem appropriate.

**Final Decisions:**

Final decisions on the facility's request shall be made in writing based on evidence taken at the hearing and shall be issued not more than fifteen days after the hearing transcript becomes available. No additional internal appeals shall be available.