

Rules and Procedures Regarding the Enforcement of the NRRTS Code of Ethics and Standards of Practice

NRRTS RULES AND PROCEDURES

I. ESTABLISHMENT AND COMPOSITION OF NRRTS ETHICS COMMITTEE

- I.1. The National Registry of Rehabilitation Technology Suppliers, Inc. (NRRTS) Ethics Committee (“Committee”) shall be comprised of three individuals who are members of the NRRTS Board of Directors (“Board”), nominated by the President and confirmed by the NRRTS Board.
- I.2. The term for Committee membership shall coincide with the individual’s term of service on the NRRTS Board, but shall be for no less than one year.
- I.3. The NRRTS Executive Director and the NRRTS Associate Executive Director shall be ex-officio members of the Committee with voice but no vote.
- I.4. The chairperson of the Committee shall be designated by the NRRTS President with the approval of the NRRTS Board.

2. MEETINGS

- 2.1. The Committee shall meet at reasonable intervals, as needed, but not less than four times each year. All members of the Committee shall be present at the meetings. The Committee may meet by telephone conference. All Committee members shall be given at least ten days advance written notice of any meeting; such notice may be waived by any member of the Committee or by the attendance of any member of the Committee at the meeting. Notices may be communicated by electronic transmission or by facsimile.

3. RESPONSIBILITY AND OBJECTIVES OF THE ETHICS COMMITTEE

- 3.1. Objectives. The Committee shall have two objectives:
 - 3.1.1. To enforce the NRRTS Code of Ethics and Standards of Practice (“Code”); and
 - 3.1.2. To protect the public against unprofessional and unethical conduct by NRRTS Registrants (“RRTS®” and “CRTS®”).
- 3.2. Rules and Procedures. The Committee may develop rules and procedures in areas that involve significant ethical questions or problems. To develop a rule or procedure, the Committee shall submit written recommendations to be adopted by the NRRTS Board.
- 3.3. Conduct. The Committee is responsible for receiving, reviewing and investigating complaints of unprofessional conduct or violations of the Code.
- 3.4. Resolution of Complaints. The Committee shall resolve all complaints of unprofessional and unethical conduct or other violations of the Code and, if necessary, shall make recommendations to the Board to achieve the objectives of the Code.



- 3.5. Reports. The Committee shall report to the Board on the Committee's activities at the Board's request.
- 3.6. Time. The Committee, the Board, and every NRRTS Registrant shall use their best efforts to adhere strictly to the time requirements specified in these Rules and Procedures. Failure to do so shall not prohibit final resolution unless such failure was unduly prejudicial. Upon request, the Executive Director may extend time limits stated in these Rules and Procedures for submitting statements or responses if there is good cause to do so.
- 3.7. Computation of Time. In computing any period of time stated by these Rules and Procedures, the day of the act, event, or default from which the designated period of time begins to run shall not be included. The last day of the period shall be included unless it is a Saturday, Sunday, or legal holiday, in which case the period runs until the end of the next business day.

4. NATURE OF AUTHORITY

- 4.1. Power to Investigate. The Committee shall have the power to investigate all allegations of unprofessional and unethical conduct that may be harmful to patients, the profession, or that may otherwise be contrary to the Code or the objectives of NRRTS.
- 4.2. Disposition of Complaints. The Committee has the sole authority to decide how to resolve a complaint.
- 4.3. Committee Actions. When resolving a complaint, the Committee may take the following actions:
 - notify all parties, in writing, that no action is warranted against the NRRTS Registrant;
 - request that the NRRTS Registrant cease and desist the improper conduct and either accept supervision or seek appropriate assistance;
 - reprimand the NRRTS Registrant or place the NRRTS Registrant on probation;
 - suspend the NRRTS Registrant's NRRTS credential for a specific amount of time;
 - permanently revoke the NRRTS Registrant's NRRTS credential;
 - refer the matter to the proper local, state or federal authorities for criminal prosecution; or
 - propose other action that is warranted under the circumstances.
- 4.4. Monetary Award. The Committee shall not determine or impose monetary awards or penalties.
- 4.5. Confidentiality. All information disclosed to the Committee or the Board shall be confidential, except that the Committee or the Board shall be permitted to disclose such information when compelled by a validly issued subpoena, when otherwise required by law, or to parties essential to the review and investigation of the alleged unethical or unprofessional conduct. Public information shall not be considered confidential for purposes of this subsection.
- 4.6. Notification. When the investigation has been completed and the Committee has made its decision, it shall inform both the complainant and the NRRTS Registrant of the Committee's conclusions and the

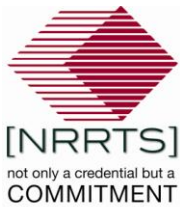


actions to be taken, along with the basis for such actions. Such disclosures shall include a citation to the Code section that was violated.

- 4.7. Record Keeping. The Committee shall establish reasonable procedures to ensure that confidentiality is maintained with respect to the handling, storage, maintenance and destruction of records.

5. **NRRTS REGISTRANT CONVICTED OF OR CHARGED WITH FELONIES OR DISCIPLINED BY OTHER ENTITIES, ORGANIZATIONS, OR AGENCIES**

- 5.1. Conviction or Charge. If a NRRTS Registrant has been charged or convicted of a felony, or received a deferred adjudication as a resolution to a felony charge, the NRRTS Registrant shall submit a copy of all records associated with the charge/conviction/deferred adjudication to the Committee within 30 days after the charge/conviction/deferred adjudication. Simultaneous with submission of such records, the NRRTS Registrant shall submit a written statement explaining why, in the NRRTS Registrant's opinion, he/she has not violated the Code. The Committee shall review the NRRTS Registrant's submission, shall make a determination of the action, if any, to be taken against the NRRTS Registrant, and shall notify the NRRTS Registrant of the Committee's decision. The NRRTS Registrant shall not be entitled to a hearing before the Committee; the Committee, however, may (at its discretion) grant a hearing. Should the NRRTS Registrant fail to submit the records within the time specified, then the Committee may either make a determination based on the NRRTS Registrant's failure, or may notify the NRRTS Registrant that he/she shall submit such records within 15 days from date of the Committee's notification.
- 5.2. Other Associations. If a NRRTS Registrant has been expelled or suspended from a national, regional or state professional association, or had his or her license or credential revoked or suspended by a national, regional, or state licensing or certifying authority, the NRRTS Registrant shall submit a copy of all records associated with the expulsion, revocation or suspension to the Committee within 30 days after expulsion, revocation or suspension. Simultaneous with submission of such records, the NRRTS Registrant shall submit a written statement explaining why, in the NRRTS Registrant's opinion, he/she has not violated the Code. The Committee shall review the NRRTS Registrant's submission, shall make a determination of the action, if any, to be taken against the NRRTS Registrant, and shall notify the NRRTS Registrant of the Committee's decision. The NRRTS Registrant shall not be entitled to a hearing before the Committee; the Committee, however, may (at its discretion) grant a hearing. Should the NRRTS Registrant fail to submit the records within the time specified, then the Committee may either make a determination based on the NRRTS Registrant's failure, or may notify the NRRTS Registrant that he/she shall submit such records within 15 days from date of the Committee's notification.
- 5.3. Malpractice. If a NRRTS Registrant has committed malpractice, he/she shall submit a copy of all records associated with the malpractice to the Committee within 30 days after the NRRTS Registrant's commission of malpractice. Simultaneous with submission of such records, the NRRTS Registrant shall submit a written statement explaining why, in the NRRTS Registrant's opinion, he/she has not violated the Code. The Committee shall review the NRRTS Registrant's submission, shall make a determination of the action, if any, to be taken against the NRRTS Registrant, and shall notify the NRRTS Registrant of the Committee's decision. The NRRTS Registrant shall not be entitled to a hearing before the Committee; the Committee, however, may (at its discretion) grant a hearing. Should the NRRTS Registrant fail to submit the records within the time specified, then the Committee may either make a determination based on the NRRTS Registrant's failure, or may notify the NRRTS Registrant that he/she shall submit such records within 15 days from date of the Committee's notification.



- 5.4. Hearing. If the Committee revokes or suspends a NRRTS Registrant's credentialed status under this section, then within 30 days of receipt of notice of the Committee's decision, the NRRTS Registrant may petition the Committee, in writing, to appear before the Committee, via telephone conference, to show good cause why he or she should not have his/her credentialed status revoked or suspended. The hearing shall take place within 45 days of receipt of the NRRTS Registrant's written request.

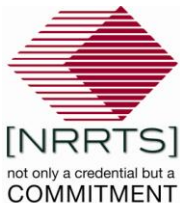
6. DISCIPLINARY PROCEDURES: INITIAL CONSIDERATION

- 6.1. Complaint. A complaint against an NRRTS Registrant may be submitted by:
- 6.1.1. any party claiming to have been harmed by the unethical or unprofessional conduct of the NRRTS Registrant;
 - 6.1.2. any national, regional or state professional association of which a NRRTS Registrant is a member;
 - 6.1.3. any licensing or credentialing authority;
 - 6.1.4. NRRTS itself; or
 - 6.1.5. the Committee.
- 6.2. Disclosure of Previous Actions. The complainant shall inform the Committee of any actions taken regarding the alleged unethical or unprofessional conduct as well as the results of such actions.
- 6.3. Anonymous Complaint. The Committee shall take no action if a complaint is anonymous. Additionally, if the complainant refuses to have his or her name disclosed to the NRRTS Registrant, the Committee shall dismiss the complaint.
- 6.4. Additional Information. The Committee may seek supplementary information from the complainant in order to evaluate the substance of the allegations. The complainant shall have 30 days to submit the supplementary information. If the complainant fails to provide such information within the time specified, then the Committee may close the case without further investigation.

7. DISCIPLINARY PROCEDURES: INITIAL ACTION

A NRRTS investigator shall use the "NRRTS Complaint Tracking Form," as shown in Appendix A, to document the details of a complaint and investigation.

- 7.1. Forwarding Complaint/Initial Determination. Within 20 days following receipt of a complaint, the Committee shall notify the NRRTS Registrant of the filing of the complaint against him/her and that the Committee shall make a determination of whether a formal investigation shall be conducted. Within 45 days following receipt of a complaint, the Committee shall determine whether to proceed with a formal investigation. The Committee shall notify the complainant and the NRRTS Registrant of its decision, by certified mail, within 30 days of the Committee's determination.
- 7.2. Formal Investigation. If the Committee decides to proceed with a formal investigation, then the notification sent by the Committee to the NRRTS Registrant shall include the following: (1) the name of the complainant; (2) a description of conduct alleged by the complainant; (3) a cite to the Code provision alleged to have been violated; and (4) a copy of the Code and these Rules and Procedures.



- 7.3. Response to Complaint. The NRRTS Registrant shall have 15 days, from receipt of the Committee's notification to file a written response to the complaint. Information submitted by the NRRTS Registrant shall become part of the investigative record and may be used in further proceedings. Failure by the NRRTS Registrant to file a timely response, or any other delays caused by the NRRTS Registrant, shall in no way prevent the continuation or conclusion of the proceedings by the Committee as it deems fit.
- 7.4. Additional Information. If, after receipt of the NRRTS Registrant's response, the Committee determines that additional information is warranted from the complainant, the NRRTS Registrant, or any third party, the Committee shall request such information from that party. Additional information shall be submitted to the Committee within 15 days from the date of the Committee's request.
- 7.5. No Further Action. Within 45 days of receipt of the additional information, the Committee may terminate the investigation if it concludes that the complaint lacks sufficient evidence or is likely to be corrected on its own. If this occurs, the Committee shall notify the complainant and the NRRTS Registrant, by certified mail, within 30 days following such determination.
- 7.6. Right to a Hearing. If the Committee determines that further action is warranted, it shall notify the complainant and the NRRTS Registrant within 45 days following receipt of the additional information. The NRRTS Registrant may request a telephonic hearing before the Committee to present his or her argument as to why the Code has not been violated. The hearing request shall be submitted, in writing, within 15 days of receiving the Committee's notification that further action is warranted. Failure to timely request a hearing waives the NRRTS Registrant's right to a hearing. The complainant may participate in the telephonic hearing. Complainant's failure to participate in the hearing may be considered as a factor in the Committee's final determination.
- 7.7. Legal Counsel. At the hearing, the NRRTS Registrant may be accompanied by legal counsel. The NRRTS Registrant and/or legal counsel will be allowed to speak.
- 7.8. Hearing Date and Time. The telephonic hearing shall be conducted at a date and time designated by the Committee, but not later than 45 days after receipt of the NRRTS Registrant's hearing request.

8. DISCIPLINARY PROCEDURES: DISPOSITION OF COMPLAINT

- 8.1. Committee Action. The Committee shall take one or more of the following actions:
 - 8.1.1. notify all parties, in writing, that no action is warranted against the NRRTS Registrant;¹
 - 8.1.2. require the NRRTS Registrant to cease and desist the alleged conduct;²
 - 8.1.3. require the NRRTS Registrant to seek guidance or supervision;³
 - 8.1.4. reprimand and place the NRRTS Registrant on probation if the Committee determines there has been a Code violation but no damage to another person, the public or the profession;⁴

¹ The NRRTS Registrant faces no punitive action and retains full rights of registration and permitted uses of the NRRTS credential.

² The NRRTS Registrant retains full rights of registration and permitted uses of the NRRTS credential; however, the NRRTS Registrant must cease the improper conduct or face harsher consequences.

³ The NRRTS Registrant retains full rights of registration and permitted uses of the NRRTS credential; however, the NRRTS Registrant must cease the improper conduct or face harsher consequences. At the discretion of the Committee, the NRRTS Registrant shall accept guidance and/or supervision from fellow registrants, the Committee, the Board or NRRTS officers.



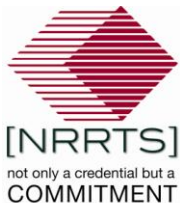
- 8.1.5. censure the NRRTS Registrant if the Committee determines there has been a Code violation but the damage done is not sufficient to warrant more serious action;⁵
 - 8.1.6. refer the matter to a national, regional or state professional association and/or a state licensing or certifying authority;
 - 8.1.7. suspend⁶ or revoke⁷ the NRRTS Registrant's NRRTS credential and registration;
 - 8.1.8. take any other action.
- 8.2. Notification. The Committee shall notify the complainant and the NRRTS Registrant of the Committee's disciplinary action against the NRRTS Registrant within 30 days of making the determination.
- 8.3. Appeal. The NRRTS Registrant shall have 15 days from the date he or she receives the Committee's disciplinary action determination to appeal the Committee's determination. The appeal shall be requested in writing and shall include the NRRTS Registrant's evidence and arguments contesting the Committee's determination. The appeal request shall be sent to the Committee by certified mail, return receipt requested or by verifiable overnight express mail service. If the NRRTS Registrant does not timely appeal the Committee's decision, the Committee's determination shall be final and immediately effective.
- 8.4. Panel. The NRRTS President, with the approval of the Board, shall appoint a three member panel to consider the appeal. The panel shall consist of three members of the Board who are not currently serving as Committee members. The panel shall notify the NRRTS Registrant of a teleconference hearing date. The hearing date shall be within 45 days of receipt of the NRRTS Registrant's appeal request. The panel shall consider all evidence, submitted by the Committee and the NRRTS Registrant, at the appeal hearing.

⁴ The NRRTS Registrant retains full rights of registration and permitted uses of the NRRTS credential; however, the NRRTS Registrant must cease the improper conduct or face harsher consequences. The NRRTS Registrant shall receive a letter of reprimand from the Committee and shall be placed on probation; the complainant shall receive a copy of this letter. The letter of reprimand serves as a warning. If the Committee receives any complaints against the NRRTS Registrant during the probationary period, the Committee may extend the length of the probation as well as administer harsher consequences.

⁵ The NRRTS Registrant retains full rights of registration and permitted uses of the NRRTS credential; however, the NRRTS Registrant must cease the improper conduct or face harsher consequences. The NRRTS Registrant shall receive a letter of censure from the Committee; the complainant shall receive a copy of this letter. The letter of censure serves as a serious warning. If the Committee receives any complaints against the NRRTS Registrant in the future, then the Committee shall likely administer harsher consequences.

⁶ The NRRTS Registrant shall be classified as "suspended" for the term of suspension. The Committee, in its sole discretion, shall determine the length and terms of the suspension. A suspended NRRTS Registrant remains registered; however, during the suspension, the NRRTS Registrant shall not hold himself/herself out as being credentialed. In addition, during the suspension, the NRRTS Registrant shall have not voting rights. If the NRRTS Registrant violates the terms of the suspension, then the Committee may extend or revoke the suspension. NRRTS may bring legal action (including a request for injunctive relief) against the NRRTS Registrant if he/she holds himself/herself out as being credentialed during the period of suspension. If suspension overlaps with the NRRTS Registrant's NRRTS renewal period, the suspended NRRTS Registrant shall be allowed to submit his or her packet for renewal. If time for renewal lapses, the suspended NRRTS Registrant shall be subject to the reinstatement guidelines as set forth in NRRTS' policies. A suspended NRRTS Registrant may request reinstatement.

⁷ A NRRTS Registrant who is revoked is no longer a registrant and therefore has no rights or privileges association with NRRTS registration. Moreover, any such individual may not use, display or otherwise refer to him- or herself as a NRRTS Registrant. The term of revocation is permanent. NRRTS may bring a legal action (including a request for injunctive relief) against the NRRTS Registrant if he/she holds himself/herself out a being a NRRTS Registrant following revocation.



9. PANEL'S DECISION

- 9.1. Further Consideration. The panel may remand the matter back to the Committee in order for the Committee to reconsider the evidence.
- 9.2. Action on Committee's Determination. The panel may overrule and/or modify the Committee's determination in the event that the panel determines that:
 - 9.2.1. the Code was incorrectly applied;
 - 9.2.2. the findings of fact by the Committee were clearly erroneous;
 - 9.2.3. it would be unjust or unfair to implement the Committee's decision;
 - 9.2.4. the procedures used by the Committee were in serious and substantial violation of the Code and these Rules and Procedures; or
 - 9.2.5. the disciplinary sanctions determined by the Committee were grossly disproportionate to the facts.

In the event that the panel overrules or modifies the Committee's determination, then the panel may take the actions set out in 8.1 of these Rules and Policies.

- 9.3. Notification. Within 45 days of the appeal hearing, the panel shall notify the complainant and the NRRTS Registrant of its decision. The panel's decision is final and may not be appealed. Once a decision is made, the panel shall notify the Committee, which shall implement the panel's directives.

10. CLOSE OF CASE

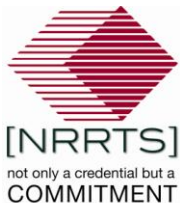
- 10.1. Close of Case. Once the final decision has been made by the Committee or the panel, the matter shall be closed and the files shall be retained at NRRTS headquarters.

11. REQUEST FOR REINSTATEMENT OF CREDENTIAL

- 11.1. Reinstatement Request. The NRRTS Registrant may submit a written reinstatement request to the Board. The reinstatement request shall include the following information:
 - 11.1.1. the date of the final Committee or panel disposition;
 - 11.1.2. a statement by the NRRTS Registrant that supports the reinstatement request; and
 - 11.1.3. copies of all relevant documents and materials supporting the reinstatement request.
- 11.2. The Board shall provide its decision to the NRRTS Registrant within 45 days of receipt of the reinstatement request.

12. REPORTING

- 12.1. All records of disciplinary action shall be kept on file in the general business office of NRRTS. All protected health information shall be redacted pursuant to HIPAA regulations. Copies of the complaint



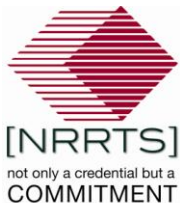
forms, investigation notes, or other documents relating to a complaint shall not be released, except as required by law.

13. RECORD RETENTION

- 13.1. Upon written request of the NRRTS Registrant, all records of disciplinary actions, excluding suspension or revocation, may, at the discretion of the Board, be expunged after two years, provided no further complaints have been received against the NRRTS Registrant.

14. GOVERNING LAW/VENUE

- 14.1. Governing Law. The laws of the State of Colorado shall govern these Rules.
- 14.2. Arbitration. In the event a dispute arises, it shall be referred to a United States Arbitration and Mediation office. Arbitration costs shall be borne by the NRRTS Registrant. The arbitrator's decision shall be final and legally binding.



APPENDIX A

14.3. Timelines

Complaint #	Complainant Against:		
Date Recd:		Complainant Name:	

Completion DATE

45 th Date	⁸	Initial Determination is made on whether to proceed after receipt of complaint	
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NOTIFICATION OF COMPLAINANT/REGISTRANT

Within 30 Days of receipt	⁹	Notify Complainant that investigation is not warranted	
Within 15 Days of Notification		If requested, Complainant must provide additional documentation. If Complainant fails to comply with request, Committee may determine to close case.	

OR

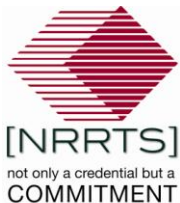
Within 30 Days of receipt		Notify Registrant of complaint, including the following: <ul style="list-style-type: none"> <input type="checkbox"/> Description of alleged behavior <input type="checkbox"/> Specific section of the code allegedly violated <input type="checkbox"/> Person filing complaint <input type="checkbox"/> Copy of Rules and Procedures <input type="checkbox"/> Statement notifying registrant that “any information provided to NRRTS will remain in registrant’s record and may be used in further proceedings”. 	
Within 15 Days of Notification		Registrant provides response	

INVESTIGATION COMPLETION and NOTIFICATION TO CONCLUDE CASE

45 Days		Conclude investigation after receipt of all documentation	
Within 7 Days		Notify Registrant and Complainant of intent to close investigation	

⁸ Count calendar days from date of complaint receipt

⁹ All subsequent dates should be counted as calendar days from the preceding activity(ies).



INITIAL HEARING

Within 15 Days		After notification of intent to close complaint, Registrant may request hearing. If a hearing is not requested in the allotted time, the right to a hearing is forfeited.	
Within 45 Days		Hearing is scheduled	

FINAL DETERMINATION

30 Days		The Committee shall notify the Complainant and NRRTS Registrant of its determination and action to be taken.	
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APPEAL

Within 15 Days of Notification		Registrant may file Right to Appeal	
15 days		Committee refers request for appeal to President and Board of Directors	
Within 15 Days of Notification		Board notifies NRRTS Registrant of decision to accept or deny appeal	

FINAL HEARING

45 Days		Hearing is scheduled	
45 Days		Based on hearing, notification of Board or Panel's decision will be conveyed to NRRTS Registrant and Complainant	

CREDENTIAL REINSTATEMENT

45 Days		Board responds to request for reinstatement of NRRTS Registrant's credential	
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