Disciplinary Action Appeal

Purpose: This protocol is provided to define the steps a licensee must take to appeal an order of disciplinary action issued by the Medical Control Authority.

I. Procedure
   A. A licensee having received an Order for Disciplinary Action (ODA) from the Medical Control Authority (MCA) may initiate a Request to Appeal.
   B. A licensee shall notify the MCA within seven (7) days of receipt of notice of an ODA of his/her/their request to Appeal. Such notice shall be in writing.

II. Appeal Hearing
   A. Upon receipt of a Request to Appeal an ODA, the MCA shall schedule a special meeting for the purpose of hearing an appeal. This meeting shall be scheduled as soon as practicable following receipt of a Request to Appeal.
   B. The receipt of a Request to Appeal does not stay the ODA or the imposition of the discipline on the appellant licensee.
   C. The MCA shall honor a request to postpone an appeal hearing, no later than thirty (30) days past the originally scheduled hearing date, to allow the appellant licensee opportunity to assemble information bearing upon his/her/their appeal.
   D. The MCA shall hold an appeal hearing to review the appellant licensee's new information and exercise one of the following options:
      1. Uphold the original decision and subsequent ODA.
      2. Diminish the ODA to a lesser Disciplinary Action (i.e., suspension of privileges diminished to written reprimand).
      3. Revoke the ODA (revocation of an ODA shall not expunge the appellant's record of the complaint process records for a period to twelve (12) months from date of original incident).
   E. Following exhaustion of the procedure stated herein, an appellant may appeal the decision of the MCA to the State of Michigan Emergency Medical Services Coordination Committee as defined in Part 209 of P.A. 368 of 1978, as amended Section 20919(4). An appeal must be filed with the Department of Health and Human Services, in writing, no more than 30 calendar days following notification of the final determination by the MCA.
      1. If a decision of the MCA is appealed to the Emergency Medical Services Coordination Committee, the MCA shall make available, in writing, the information it considered in makings its decision.