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AMERICAN OSTEOPATHIC ASSOCIATION

TREATING OUR FAMILY AND YOURS

**HANDBOOK OF THE**

**COUNCIL ON OSTEOPATHIC CONTINUING MEDICAL EDUCATION**

**AMERICAN OSTEOPATHIC ASSOCIATION**

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## Table of Contents

1. Introduction .....	3
2. Statement of Purpose.....	3
A. The Council on CME .....	3
B. Responsibilities .....	3
3. Structure .....	4
A. Appointment of Representatives and At-Large Members.....	4
B. The COCME Shall Consist of Twelve ( 12) Members. ....	4
C. Appointment of COCME Membership and Terms of Office.....	6
D. Standing Committee .....	8
E. BOE, Appeals Process, BOE Representative(s).....	9
4. Council Procedures .....	9
A. General .....	9
B. Agenda Preparation .....	10
C. Observer .....	10
D. Conflict of Interest Statement .....	11
E. Document Posting .....	13
5. Appendices A: Appeal Procedures and the Appeal Process.....	14

## **I. INTRODUCTION**

The *Handbook of the Council on Osteopathic Continuing Medical Education* is a procedure manual for use by the AOA Council on Osteopathic Continuing Medical Education (COCME) and other AOA officers. It includes a description of the Council's purpose, function, structure, operation procedures, and pertinent information.

## **II. STATEMENT OF PURPOSE**

- A. The Council on Osteopathic Continuing Medical Education (COCME), formerly called the Committee on CME, was renamed in March 2017 and responsible for overseeing the accreditation program of the AOA. The COCME is responsible for accrediting AOA Category 1 CME Sponsors, setting standards and procedures for accreditation of osteopathic CME Sponsors. The Council reports to the Bureau of Osteopathic Education.
- B. Responsibilities:
1. Acts as a consulting and guiding Council for the AOA Department of Educational Affairs and for all osteopathic institutions.
  2. Review applications by CME sponsors for accreditation or reaccreditation, approves or denies the applications, and notifies each applicant of the disposition of the application in a timely manner. Organizations receiving denials of accreditation may request reconsideration by the COCME at its next meeting or may appeal to the Bureau of Osteopathic Education.
  3. Review the results of the document surveys and evaluation processes of accredited CME sponsors. CME sponsors must maintain their accreditation through successful participation in the survey and evaluation process of the AOA accreditation program for Category 1 CME sponsors.
  4. Meetings of the COCME shall be held at times determined by the Council Chair and the Secretary and in conjunction with the "cluster meetings."
  5. Minutes from the AOA Meetings must be submitted to the respective appropriate members for review and approval based on Resolution H-351, A/2018 titled New Directives for Agendas and Meeting Minutes.
  6. Make recommendations on policy items to the Bureau of Osteopathic Education and through that body to the Board of Trustees and, where appropriate, to the House of Delegates.

7. All agenda items must be submitted in writing to the Department of Educational Affairs at least thirty (30) days in advance of the regularly scheduled meeting.
8. Provides for on-site consultation within the accreditation program for CME sponsors. The purpose of these visits will be consultative in purpose to assist CME sponsors to achieve improved compliance with AOA CME accreditation requirements, and to enhance the sponsors' abilities to provide quality CME programs for osteopathic physicians. The costs of such consultation shall be borne by the CME sponsor.

### **III. STRUCTURE**

- A. Appointment of representative and at-large members to the COCME will be staggered and limited to no more than three consecutive three-year terms for nine (9) years cumulative. Membership and chairperson appointments would be limited to a maximum of nine consecutive years and six years respectively in any one bureau, council or committee. Students and intern/residents may serve a one (1) year term.

1. Qualification of the Members

- a. All osteopathic physicians on the CME Council must be members of the AOA in good standing, and shall conform to its constitution, bylaws and code of ethics.
- b. No members of the AOA Board of Trustees shall simultaneously hold a position on the COCME.

- B. The COCME shall consist of twelve (12) members.

1. House of Delegates Nominee:

- a. One (1) position, three (3) year term.
- b. Experience in and commitment to excellence in continuing medical education.
- c. AOA member, osteopathic physician.
- d. Appointment by AOA President.

2. Uniformed Services:

- a. One (1) position, three (3) year term.
- b. Experience in and commitment to excellence in continuing medical education.
- c. AOA member, osteopathic physician.
- d. Appointment by AOA President, following consultation with AMOPS.

3. Emerging States Nominee:

- a. One (1) position, three (3) year term.

- b. Experience in and commitment to excellence in continuing medical education.
  - c. AOA member, osteopathic physician from a small state.
  - d. Appointment by AOA President.
4. AOSED Nominee:
- a. One (1) position, three (3) year term.
  - b. Experience in and commitment to excellence in continuing medical education.
  - c. Appointment by AOA President.
5. AACOM Nominee:
- a. One (1) position, three (3) year term.
  - b. Member of the administration or faculty of a COM.
  - c. Experience in and commitment to excellence in continuing medical education.
  - d. Appointment by AOA President.
6. AODME Nominee:
- a. One (1) position, three (3) year term.
  - b. AOA member, osteopathic physician or Ph.D.
  - c. Must currently be in position as a medical educator in an AOA-accredited teaching institution.
  - d. Experience in and commitment to excellence in continuing medical education.
  - e. Appointment by AOA President.
7. SOSE Nominee:
- a. One (1) position, three (3) year term.
  - b. Member of the administration – Specialty Executive
  - c. Experience in and commitment to excellence in continuing medical education.
  - d. Appointment by AOA President.
8. Specialty Affiliate Representatives (2):
- a. Two (2) positions, staggered three (3) year terms,
  - b. Practice affiliate appointments, process to be determined.
  - c. AOA members, osteopathic physicians.
  - d. Experience in and commitment to excellence in continuing medical education.
  - e. May not be from the same practice affiliate.
  - f. Appointment by AOA President.

9. Member-At-Large:
  - a. One (1) position, three (3) year term.
  - b. Representative of members-at-large.
  - c. Experience in and commitment to excellence in continuing medical education.
  - d. Appointment by AOA President.
  
10. Student
  - a. One (1) position, one (1) year term.
  - b. Must be enrolled in an osteopathic college.
  - c. Appointment by AOA President.
  
11. Interns/Residents, Bureau
  - a. One (1) position, one (1) year term.
  - b. Must be enrolled in an osteopathic internship/residency program
  - c. Appointment by AOA President.

C. Appointment of COCME Membership and Terms of Office

1. The Chair appointed by the AOA President from the membership of the Council for a two (2) year term.
  
2. The Vice-Chair appointed annually by the AOA President from the membership of the Council.
  
3. Other members shall be appointed by the AOA President for three-year terms which shall be staggered and limited to no more than three consecutive three-year terms for nine years cumulative.
  
4. All appointments shall be approved by the AOA Board of Trustees.
  
5. Duties of the Officers
  - a. Chair
    - i. The Chair of COCME shall preside at all meetings, appoint subcommittees, and act as ex-officio member of the subcommittees. The Chair currently serves as an advisor to the Bureau of Osteopathic Education.
  
    - ii. All reports, resolutions, and recommendations of the COCME shall be presented by the Chair to the Bureau of Osteopathic Education and the AOA Board of Trustees.

- iii. The Chair shall determine the dates of the CME meetings in consultation with the Secretary of the Council and with the meetings and travel office, prior to annual and mid-year meetings of the Board of Trustees. Meetings shall be held in a cost-effective manner and in conjunction with the “cluster meetings.”
- iv. When deemed appropriate, the Chair shall ask the Secretary to provide pertinent material to the members and request a mail vote.

b. Vice-Chair

- i. The Vice-Chair shall assume the duties of the chair in the absence or incapacity of the chair.
- ii. The AOA President shall select the Vice-Chair from within the membership of the COCME.
- iii. The Vice-Chair shall assist the Chair in carrying out the functions and duties of the COCME meeting(s).

c. Secretary

- i. The Secretary shall be a staff member of the Department of Education who is responsible for the administration of the COCME and its associated programs.
- ii. The Secretary shall act as the correspondent for the chair in response to questions or interpretation of the CME program.
- iii. The Secretary shall coordinate the COCME Council agenda:
  - (a) Make meeting arrangements through AOA meetings and travel.
  - (b) Prepare meeting agendas.
  - (c) Develop correspondence and official reports to reflect COCME action.
- iv. The Secretary shall administer the schedule of the on-site surveys in accordance with the accreditation status determined by the COCME.

- v. The Secretary shall recommend the annual budget for the COCME in accordance with AOA policy.
- vi. The Secretary shall review the Handbook of the Council on Osteopathic Continuing Medical Education every three years.
- vii. The Secretary shall make available within three months all new and revised documents that have been approved by the AOA Board of Trustees.
- viii. The Secretary position is without vote.

**D. Standing Committee - Administrative Committee**

1. The Administrative Committee is a standing subcommittee of the COCME composed of the Chair, Vice-Chair, and one other member of the COCME appointed annually by the chair. The Secretary is a non-voting member who, in concert with the chair, is responsible for the preparation of the agenda and reports to the full COCME.
2. The Administrative Committee shall also perform other necessary duties of the COCME between the regularly scheduled meetings.
3. The Administrative Committee shall also review policy items and basic documents prior to submission to the full COCME.
4. The Secretary shall be a non-voting member who shall supervise the preparation of the agenda and minutes of the meetings written minutes of actions and recommendations shall be submitted to the full council.
5. The Administrative Committee will ordinarily conduct its meetings by telephone conference or other electronic means, or in conjunction with a scheduled meeting of the full COCME. In all votes, the majority shall prevail. In the event that a mail ballot is required, items considered for action shall be sent to each member of the Administrative Committee who shall note his/her vote on the ballot and return it to the AOA Department of Education within 5 days of receipt. Members may also be asked to reply by phone and confirm their oral vote by completing the ballot as noted above.
6. The Administrative Committee may refer consideration of an agenda item to the next regularly scheduled meeting of the full Council.

E. BOE, Appeals Process, BOE Representative(s)

1. The Bureau of Osteopathic Education (BOE) is a component of the American Osteopathic Association (AOA) Department of Educational Affairs. The BOE acts to make policy recommendations to the Board of Trustees in the areas of accreditation, education appeals committee, osteopathic GME development, postdoctoral training, and undergraduate medical education. (See Appendix A)
2. The BOE maintains an appeal process for review of actions of the COPT and the COCME as noted.
  - a. Two CME experts as members of the BOE
  - b. Each should have at least 3 years previous experience in:
    - i. COCME Membership
    - ii. Category 1 specialty planning committee member or experience in actively planning AOA CME programs or
    - iii. Category 1 CME Sponsors who provide quality CME programs
  - c. One member shall serve as the CME policy expert on the BOE Appeals Committee

**IV. COUNCIL PROCEDURES**

A. General

1. The COCME shall convene as a joint meeting.
2. The COCME shall, in all its deliberations requiring parliamentary procedure, operate according to Robert's Rule of Order, newly revised.
3. During its meeting, the COCME shall take action by vote on all motions and resolutions presented.
4. A simple majority of the COCME shall constitute a quorum and be sufficient to consider any motion and/or resolution.
5. All resolutions regarding COCME policies shall be posted on [WWW.OSTEOPATHIC.ORG](http://WWW.OSTEOPATHIC.ORG) for forty-five (45) days for public comment following each meeting.
6. Final approval of the Board of Trustees final action will be updated and posted on the AOA website.

**B. Agenda Preparation**

1. All agenda items received are reviewed by the Secretary and approved by the Chair for placement on the agenda for the next scheduled meeting.
2. Members shall be sent an advance copy of the agenda for review approximately two weeks prior to the COCME meeting.

This advance agenda shall contain minutes, reports, policy items, and issues requiring advance review as determined by the chair.

**C. Observers**

1. By precedence, all meetings of the Council are open to the public.
3. Observers include, but are not limited to, AOA staff, representatives of accrediting regulatory bodies, osteopathic foundations, practice and non-practice affiliated organizations. The presence of observers shall be acknowledged by the chair, and recorded in the Council minutes.

**D. Conflict of Interest Statement**

The following Conflict of Interest Statement adopted by the AOA Board of Trustees in 2019 has been included for the Council on Osteopathic Continuing Medical Education.

### Conflict of Interest Statement

The Board of Trustees of the American Osteopathic Association (AOA) has adopted a policy statement regarding conflicts of interest. AOA administrative officers, elected officer, trustees and appointed bureau, council and committee chairs and members are required to comply with the conflict of interest policy. The policy specifically requires that trustees, officers, bureau, council and committee members and employees not use their respective positions with the AOA to derive direct or indirect financial profit from or otherwise utilize a position with the AOA to achieve an unfair advantage in issues involving another entity with which they are involved as a board member, officer, employee or in which they have a substantial financial investment. Where appropriate, individuals holding office agree to recuse themselves from discussion, voting or other participation regarding issues for which they are determined to have conflicting interests.

The proper care and handling of confidential information and documents provided through the course of executing one's AOA responsibilities must be acknowledged and adhered to. Any information noted or labeled as confidential should not be shared, forward, copied, distributed or discussed with individuals outside of its intended purpose and the purpose it was provided for. Nor should an individual utilize confidential information for their personal advantage or the advantage of any other entity for which they serve as an officer or director.

Therefore, all trustees, officers and bureau, council and committee members are required to submit Conflict of Interest disclosure statements on an annual basis and are expected to update the statement should circumstances change. The key point to addressing conflicts of interest is full disclosure of any relationships that could present a conflict of interest.

By affirming that I have read this material I am signing this Conflict of Interest Statement, confirming that I have disclosed of the situations, interests or affiliations that present an actual or potential conflict of interest with the performance of my official duties in the best interest of the AOA and that except for these relationships on the attached and that I will disclose any situations, interests or affiliations that arise during my term of office.

Except as otherwise provided below, I have no personal material interest or outside affiliation. This includes relationships that not only have the potential for direct and indirect personal profits, but also any entity for which a member of my immediate family or I serve as an officer, director, employee or otherwise hold a significant financial interest. It is recognized that it is not possible to present a listing of all of the outside personal interest, activities or affiliations on the part of the undersigned which might be considered as being, in fact or appearance, in conflict with his or her duty of loyalty to the AOA and contrary to its best interests. The following, however, are to the best of my knowledge and belief specific situations, interests or affiliations where there are actual or potential conflicts.

I acknowledge an ongoing duty to disclose potential conflicts of interests throughout my term of office either for any relationships that I inadvertently did not include on this list or for any relationships that may arise in the future. Set forth below is a list and description of other entities with which the undersigned is affiliated and/or has a material financial interest and may give rise to a conflict of interest:

1. Within the past five years, I have served as a director, officer or been an employee of the following organizations with which the AOA does business (please include colleges of osteopathic medicine, specialty affiliates, divisional affiliates, philanthropic organizations and/or other organizational members of the osteopathic family):

2. I am a director or officer or employee or have a material financial interest in the following entities with which the AOA transacts business (where appropriate, please identify the nature of the AOA's relationship with that entity):

3. A member of my immediate family is a director or officer or employee or has a material financial interest in the following entities with which the AOA does business (please identify the family member and the nature of the AOA's relationship with that entity):

4. The following are other relationships that could present an actual or perceived conflict of interest.

There are no relationships that present an actual or potential conflict of interest.  
I affirm that I have disclosed all relationships that could to the best of my knowledge.

Print: \_\_\_\_\_ Date \_\_\_\_\_

Signature: \_\_\_\_\_

E. Document Posting

Pursuant to AOA Board of Trustees policy, all documents which the Bureau submits to the AOA Board of Trustees for final approval will be updated and posted on the AOA Website within ninety (90) days of Board of Trustees final action.

## V. APPENDICES

### APPENDIX A: Appeal Procedures and the Appeal Process

#### I. Introduction

The Bureau maintains an appeal process for review of actions of the COPT and its subordinated councils, and the COCME.<sup>1</sup> The appeal process is supervised by a standing Appeal Committee that is appointed each year pursuant to the procedures set forth below. Except as otherwise provided in this document, the Bureau Appeal Committee shall be the first level for appeal from actions of the COPT and its subordinated councils and the COCME. Decisions of the Bureau Appeal Committee may be appealed to the AOA Board of Trustees.

#### II. Meetings of the Appeal Committee

The Appeal Committee may hold meetings in conjunction with regularly scheduled Bureau meetings. Additionally, where appropriate, the Appeal Committee Chair may call special meetings of the Committee with seven (7) days prior written notice of the time and date of such meetings to all Committee members. All program, OPTI and Specialty College appeal requests must occur within 60 days of appeal submission. Special meetings may take place telephonically or by other means of electronic communications. However, no meeting of the Appeal Committee may convene without three (3) members or alternate members present.

#### III. Membership in the Appeal Committee

Membership of the Appeal Committee shall be determined as described in the *Handbook*. Members shall serve a one year term.

In addition, three (3) BOE members shall be elected to serve as alternate members of the Appeal Committee.

No member or alternate member of the Appeal Committee may hear or vote on an appeal when that member has previously acted on the appellant's case, or has any interest in or relationship to an appellant (e.g., works in the same institution). Where appropriate, members of the Appeal Committee may recuse themselves from hearing any appeal. An appellant may indicate their concerns about possible conflict(s) of interest with member(s) of the Appeal Committee.

#### IV. Appeal Requests

##### A. Who May Apply

1. Any individual member, or an approved/accredited educational institution, may appeal any decision of a constituent council of the Bureau.

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<sup>1</sup> The COPT includes two subordinated councils: the Program and Trainee Review Council (PRTC) and the Council on Osteopathic Postdoctoral Training Institutions (COPTI).

<sup>2</sup> Where appropriate, appellants from decisions of the COCME may appeal actions of the COCME to the BOE Appeal Committee.

2. Specialty affiliates may appeal to the Appeal Committee, but must do so within thirty (30) days of receipt of the constituent council decision. Thereafter, the Appeal Committee shall hear the appeal at a regular meeting or special meeting within sixty (60) days of appeal submission.
  3. Constituent committees, councils, and/or bureaus of the AOA shall not initiate, or be granted, an appeal, but may request an appeal to the AOA Board of Trustees.
- B. **Scope of Appeal.** The Appeal Committee has jurisdiction to consider appeals based on allegations of unequal application of regulations, requirements or standards; unwarranted discrimination; prejudice; unfairness; or improper conduct of all or any part of the action taken by the council or committee.
- C. **Initiation of Appeal.** Appellants shall initiate the appeal process by submitting written requests for appeals to the Chair of the Bureau. The request for appeal shall include a summary of the factual background surrounding the matter and the alleged basis for the appeal. Where possible, the request should be supported by documentation that either supports the appellant's position or provides information regarding facts or circumstances that the constituent council or committee did not give due consideration.
- D. **Filing an Appeal Request.** Appeal requests shall be filed with the Appeal Committee Chair and sent care of the following address: Secretary, Bureau of Osteopathic Education, American Osteopathic Association, 142 E. Ontario Street, Chicago, Illinois 60611. Appeal requests may also be submitted by email or other electronic communication by first contacting the Secretary for the appropriate address.
- During the appeal process it is important that the Appeal Committee be notified of any change in address so that the procedure is not delayed because communications are not received in a timely fashion.
- Following receipt of an appeal request, AOA staff shall review the request and documentation to confirm that the appeal meets the requirements set forth above and is within the Appeal Committee's jurisdiction. Appellants shall be notified within 10 business days whether or not a request for a hearing has been granted and provided information as to the anticipated date, time and location for the hearing. If an appeal is granted, staff shall also notify the Secretary of the constituent council or committee and any other parties concerned with the decision.
- E. **Effect of Appeal/Stay of Underlying Decision.** Upon receipt of a request for an appeal, the underlying action ordered by the constituent council or committee shall be stayed. The Chair of the Appeal Committee shall review appeal petitions within one month of receipt to determine if the stay is necessary or appropriate. The parties shall be notified if the Chair decides to remove the stay. Appellants or appellees may submit written materials to the Chair in support of or opposition to a stay.
- F. **Requests for Reconsideration.** In addition to an appeal, appellants may seek reconsideration from the constituent committee. To request reconsideration, within thirty (30) days of receipt of the notice of action, the appellant seeking reconsideration shall submit a formal written request to the chair of the relevant council or committee and the BOE Chair. Requests for reconsideration shall be based on facts or information not available at the time the council or committee acted. The basis for the request for reconsideration must be stated in the request. Reconsideration is a discretionary action and not a right.

Following receipt of a request for reconsideration, a constituent council or committee may choose not to consider a request for reconsideration. Decisions to grant or deny reconsideration cannot be appealed to the appeal committee.

## **V. Appeal Fees**

All educational programs, specialty colleges and OPTIs must submit a \$2,500 appeal fee with the formal written appeal request. Appeal fees do not apply to individual requests from students or physicians, including trainees. Should the Bureau Appeal Committee overturn a decision from one of the Education Councils, half the application fee (\$1,250) would be returned to the appellant, whether the decision was fully or partially overturned.

## **VI. Appeal Presentation and Protocol**

- A. **Written Submissions.** Once a hearing date is scheduled, parties involved in the appeal may submit written materials in support of or opposition to the appeal. The written submissions should be submitted no later than fourteen (14) days before the appeal hearing date in order to ensure that the Committee has an opportunity to review the materials. The materials should include copies of appropriate documentation and be limited to the specific issues involved in the appeal. Personal narratives, without supporting documentation, are discouraged.

At the request of the Appeal Committee or a Council whose decision is involved in an appeal, a constituent council may participate in the appeal process by submitting written documentation, attending the appeal hearing to respond to questions of the Appeal Committee or, with the consent of the Appeal Committee chair, making an oral presentation at the appeal hearing.

Third-party presentations concerning the appeal, either orally or in writing will be accepted in appropriate circumstances. The other parties to the appeal will be advised of the third party submission.

The materials submitted by the parties should be limited to information and documentation available to the constituent council. If new material is submitted by the parties, the Appeal Committee may refer the appeal to the constituent council or committee as a request for reconsideration.

- B. **Format for Appeal Hearing.** The Chair of the Appeal Committee shall determine the protocol for the appeal based on the facts and circumstances presented. Appeal hearings will generally conform to the following guidelines:

Approximately forty (40) minutes is allocated for the appeal:

- Five (5) minutes for the constituent council or committee to state its position
- Ten (10) minutes for the appellant's presentation
- Five (5) minutes for a presentation from the opposing party
- Ten (10) minutes for questions from members of the Appeal Committee
- Five (5) minutes for the opposing party's final statement
- Five (5) minutes for the appellant's final statement

- C. **Alternate Appeal Formats.** Appellants are strongly encouraged to appear in person to present at appeal hearings. However, at the request of an appellant, an appeal may be heard telephonically or reviewed solely on the basis of materials submitted in writing.

A request for a presentation by telephone or an appeal based solely on documents should be made no less than fourteen (14) days prior to the scheduled hearing date.

- D. Representation by Counsel. An appellant may be represented by legal counsel. However, even when represented by legal counsel, an appellant must answer questions raised by the Appeal Committee during the question and answer portion of the hearing. If the appellant intends to have legal counsel present, the Appeal Committee must be notified of the name and address of counsel at least fourteen (14) days prior to the hearing. Expenses incurred in connection with the appeal shall be borne by the parties to the appeal and shall not be the responsibility of the Appeal Committee or the AOA.
- E. Following the hearing, the Appeal Committee will conduct deliberations in Executive Session. All proceedings of the hearing are held in confidence.

## **VII. Adjudication by the Appeal Committee**

The Appeal Committee takes action on all appeals heard and may decide upon any of the following outcomes:

- **Deny** – Actions of the constituent committee or council are upheld.
- **Approve** – Actions of the constituent committee or council are overturned.
- **Request Additional Information** – The Committee determines that it needs additional information to decide the appeal and requests that the parties provide additional information.
- **Defer** – The appeal is remanded back to the constituent committee or council for further review. The constituent committee or council is advised to submit any new recommendations or information for the next regularly scheduled meeting of the Appeal Committee.

Deliberations of any appeal and all materials reviewed are held in confidence, in accordance with the policies of the AOA and the Bureau of Osteopathic Education.

Appellants should note that an appeal request will not automatically extend the time of program approval or OPTI accreditation. While an appeal will temporarily stay the action recommended by a council, the appeal committee has the authority to maintain the original action date of the council decision as part of its decision.

## **VIII. Formal Notification of Appeal Action**

Within twenty-one (21) days of the hearing, the Secretary of the Appeal Committee shall notify all parties to an appeal of the action taken. All actions shall be communicated to the appellant by mail or electronic mail and shall indicate that parties have the right to appeal the Committee's decision to the AOA Board of Trustees within thirty (30) days of receipt of the notice by submitting a formal request for appeal to the Chief Operating Officer, American Osteopathic Association, 142 E. Ontario Street, Chicago, Illinois, 60611. The notice shall also indicate that if an action is not appealed within the thirty (30) day limit, the action of the Bureau of Osteopathic Education Appeal Committee is final.