

SUBJECT: REVISIONS TO THE BOE HANDBOOK

SUBMITTED BY: Bureau of Osteopathic Education

REFERRED TO: BOT Reference Committee 1

- 1 WHEREAS, the Bureau of Osteopathic Education has reviewed its Handbook; and
2 WHEREAS, the Bureau has identified several updates needed in the Handbook; now, therefore
3 be it
4 RESOLVED, that revisions to the Bureau of Osteopathic Education Handbook be approved.

(new material underlined; old material ~~struck through~~)

Explanatory Statement:

The BOE handbook was last updated in 2011. Of significant note, the BOE is recommending several changes to its membership. With the proposed changes, BOE membership would be reduced from 18 members to 17 members:

1. The elimination of two members of the BOE since their organizations no longer exist: the Bureau of Hospitals and the Association of Osteopathic Directors and Medical Educators.
2. The addition of two memberships with expertise in osteopathic postdoctoral education. The BOE has two members who represent pre-doctoral education and two members who represent continuing medical education but no members specifically represent post-doctoral education.
3. The deletion of the Osteopathic Educator position and the Non DO Educator position to offset the two new post-doctoral positions.
4. In 2016, the BOE requested a new member position to represent the Society of Osteopathic Specialty Executives (SOSE). Through these Handbook revisions, the BOE continues to request that new position.

FISCAL IMPACT:

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Handbook of the Bureau of Osteopathic Education (BOE)

American Osteopathic Association
Department of Education
142 E. Ontario Street
Chicago, Illinois 60611

Approved BOT 1/03
Revised BOT 02/06
Revised BOT 07/07
Revised BOT 07/08
Revised BOT 7/09
Revised BOT 2/10
Revised BOT 7/11

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1 **1. Introduction**

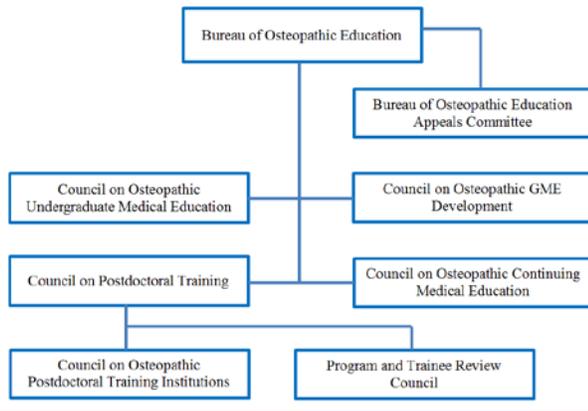
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3 The *Handbook of the Bureau of Osteopathic Education* is a procedural guide established for the use of the
4 Bureau of Osteopathic Education (Bureau) and other officers of the American Osteopathic
5 Association (AOA). This is an official document adopted by action of the AOA Board of Trustees
6 (~~AOA Board~~), and may be amended from time to time. The *Handbook* includes a description of the
7 Bureau's purpose, function, structure, operating procedures ~~and pertinent appendices~~. ~~The Bureau~~
8 ~~serves as a reference committee to the AOA Board and acts as the “think tank” on osteopathic~~
9 ~~medical education issues for the osteopathic medical education continuum (i.e., from predoctoral~~
10 ~~education through certification and continuing medical education). Copies of the *Handbook* are filed~~
11 ~~at the AOA, Department of Education, 142 East Ontario Street, Chicago, Illinois, 60611.~~

12
13 **2. Statement of Purpose**

14
15 A. Charge

16
17 The Bureau studies the full continuum of osteopathic medical education (predoctoral, postdoctoral,
18 ~~certification~~ and continuing medical education) and makes recommendations to the AOA Board of
19 Trustees as to how to improve the educational system and the process through which the AOA
20 oversees and approves or, accredits ~~and/or certifies~~ educational programs. Recommendations to
21 the AOA Board of Trustees are based on the Bureau's own proposals as well as from reviews of the
22 policies proposed by:

- 23
24
 - The Council on Osteopathic Undergraduate Medical Education (COUME);
 - The Council on Osteopathic GME Development (COGMED);
 - ~~#~~The Council on Osteopathic Postdoctoral Training (COPIT) and its subordinated
27 committees; the Program and Trainee Review Council (PTRC) and the Council on
28 Osteopathic Postdoctoral Training Institutions (COPIT); and
 - ~~#~~The Council on Osteopathic Continuing Medical Education (COCME), and



31
32 ~~The Bureau also receives informational advisory~~ reports on medical education issues from the
33 Bureau ~~of on International Osteopathic Medical Educators (BOME) Medicine, the Bureau of~~

1 Osteopathic Specialists, the National Association of Osteopathic Foundations, and the American
2 Association of Colleges of Osteopathic Medicine, Bureau of Hospitals (BOH), Bureau of
3 Osteopathic Specialty Societies (BOSS) and from internal and external educational studies.

4
5 The Bureau is a representative body of the osteopathic profession. It receives reports from
6 educational councils and committees of the AOA. The Bureau acts to assure the AOA Board of
7 Trustees, the osteopathic medical community and the public that actions of the ~~various councils~~
8 COPT, COUME, COPTI, PTRC and COCME reporting to this Bureau are within the framework
9 of the AOA *Basic Documents for Postdoctoral Training* and the ~~public interest~~ Accreditation Requirements for
10 Category 1 CME Sponsors. The Bureau also receives recommendations from the COUME for
11 advocating best standards in undergraduate medical education.

14 B. Responsibilities:

- 16 1. To serve as a reviewing body of existing policy documents, or of proposed policy changes
17 ~~originating within~~ submitted by the Council on Postdoctoral Training (COUME, COGMED,
18 COPT) and/or the Council on Continuing Medical Education (COCME). In this capacity, the
19 Bureau makes recommendations to the AOA Board of Trustees for ~~their~~ final action.
- 20 2. ~~To serve as a forum for receiving comments from the Bureau on International Osteopathic~~
21 ~~Medicine, the Bureau of Osteopathic Specialists, the National Association of Osteopathic~~
22 ~~Foundations, and the American Association of Colleges of Osteopathic Medicine, the Bureau of~~
23 ~~Osteopathic Medical Educators (BOME), Bureau of Hospitals (BOH), and the Bureau of~~
24 ~~Osteopathic Specialty Societies (BOSS) on matters pertaining to osteopathic education in~~
25 ~~general.~~
- 26 3. ~~Through the Bureau Appeals Committee, t~~ To serve as an appellate body in hearing appeals from
27 any individual or organization seeking relief from prior actions of ~~the Council on Continuing~~
28 ~~Medical Education (COCME), the Council on Osteopathic Postdoctoral Training (COPT), the~~
29 ~~Program and Trainee Review Council (PTRC), and the Council on Osteopathic Postdoctoral~~
30 ~~Training Institutions or (COPTI) (See Appendix). Appeals of decisions made by the COCME,~~
31 ~~COPT, PTRC, and or COPTI decisions will be heard by the BOE. Bureau Appeals Committee,~~
32 ~~as needed.~~
- 33 4. To assure the AOA Board of Trustees and the appellants that the various committees have acted
34 in accordance with the *Basic Documents for Postdoctoral Training* and the *Accreditation Requirements for*
35 *Category 1 CME Sponsors.*

37 C. Functions

38 ~~The Bureau is designed to:~~

- 39 ~~1. Review policy directions on osteopathic education and develop recommendations for the AOA~~
40 ~~Board.~~
- 41 ~~2. Receive and act on recommendations from the COPT, its subordinated councils[†] and the~~
42 ~~CCME (See Appendix).~~
- 43 ~~3. Serve as a forum for receiving input on issues of importance to postdoctoral training and~~
44 ~~continuing medical education activities.~~
- 45 ~~4. Serve as an appeal body for specified actions of the CCME, COPT, PTRC, and the COPTI.~~

46
[†] Subordinated councils of the COPT are the Program and Trainee Review Council and the Council on Osteopathic Postdoctoral Training Institutions

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3. Structure

A. List of Members

The Bureau has ~~eighteen-seventeen~~ (1817) voting members and six non-voting ex-officio members:

- 2-Specialty Affiliate Representatives
- 2-Members-at-large
- ~~1-Bureau of Hospitals Representative~~
- ~~1-Representative of the Association of Osteopathic Directors and Medical Educators~~
- ~~1-Representative of the Society of Osteopathic Specialty Executives~~
- ~~1-Osteopathic Educator~~
- ~~1-Non DO Educator~~
- ~~2-Members with expertise in osteopathic postdoctoral education~~
- 1-Representative of American Association of Colleges of Osteopathic Medicine
- 1-Representative from the Bureau of Osteopathic Specialists
- 1- ~~Intern/Resident~~ Osteopathic physician in residency
- 2-Osteopathic CME representatives with at least three years of osteopathic CME experience on the Council on Osteopathic CME or a Category 1 CME Sponsor planning committee member
- 2-Members with expertise in predoctoral education
- 2-Members of the Association of Osteopathic State Executive Directors (representing divisional affiliates)
- 1-Public Member
- 1-NAOF Observer (self-funded)
- 6-Ex-officio Members (Chairs of BIOM, COGMED, COCME, COPT, COPTI, and PTRC - each with a one (1) year term)
- ~~Osteopathic Specialty College representatives (two)~~

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- 1 ~~• Bureau of Hospitals representative~~
- 2 ~~• DO educator~~
- 3 ~~• Non-DO educator~~
- 4 ~~• Association of Colleges of Osteopathic Medicine (AACOM) representative~~
- 5 ~~• Association of Osteopathic Directors and Medical Educators (AODME) representative~~
- 6 ~~• Bureau of Osteopathic Specialists (BOS) representative~~
- 7 ~~• Resident physician representative~~
- 8 ~~• Continuing Medical Education (CME) representatives (two)~~
- 9
- 10 ~~Must have at least 3 years of CME experience on the CCME or as a Category 1 CME Sponsor~~
- 11 ~~Planning Committee member.~~
- 12
- 13 ~~• Association of State Executive Directors (AOSED) representatives (two)~~
- 14 ~~• Predoctoral education representatives (two)~~
- 15 ~~• AOA members at large (two)~~
- 16
- 17 ~~i. Must be an osteopathic physician whose AOA membership classification is “active.”~~
- 18 ~~ii. Must have knowledge and experience in one or more areas of responsibility of the Bureau.~~
- 19
- 20 ~~• Public Member~~

21

22 B. General Aspects of Bureau Membership

23

- 24 ~~Each year, the AOA President elect will appoint a 3-person nominating committee consisting of~~
- 25 ~~1) two members who have held the position of AOA President and who have no current~~
- 26 ~~affiliation with any college of osteopathic medicine, and 2) one member to be selected by a~~
- 27 ~~process established by the President and the Chair of the Board of Deans of the American~~
- 28 ~~Association of Colleges of Osteopathic Medicine. No member of the nominating committee~~
- 29 ~~may be serving on an education bureau, council, or commission.~~
- 30 ~~The Education Nomination Committee will receive all applications/nominations for the open~~
- 31 ~~positions on the following: The Commission on Osteopathic College Accreditation, COPTI,~~
- 32 ~~COPT, BOE, and PTRC. The nominating committee will recommend to the President elect~~
- 33 ~~three individuals for every open position.~~
- 34 ~~The President elect will select and appoint one of these 3 individuals to each open position or~~
- 35 ~~request additional nominees from the nominating committee. The appointments of the~~
- 36 ~~President elect are subject to the approval of the AOA Board of Trustees.~~
- 37 1. ~~The Bureau has eighteen (18) voting members as enumerated in part 3.A of this document (see~~
- 38 ~~above).~~

- 1 ~~1. 2. ——— Members are appointed by the AOA president, with consideration given to the~~
2 ~~recommendation of the body to be represented, if any.~~
3 ~~2. 3. ——— Appointment of representative and at large members to the Bureau will be staggered~~
4 ~~and limited to no more than three (3) consecutive three year terms for nine (9) years cumulative.~~
5 ~~Membership and chairperson appointments would be limited to a maximum of nine (9)~~
6 ~~consecutive years and six (6) years, respectively, in on any one bureau, council or committee.~~
7

8 B. C.—Appointment of Officers and Terms of Office Bureau Membership and Terms of Office
9

10 ~~4.—1. Each year, the AOA President-elect will appoint a 3-person nominating committee~~
11 ~~consisting of 1) two members who have held the position of AOA President and who have no~~
12 ~~current affiliation with any college of osteopathic medicine, and 2) one member to be selected~~
13 ~~by a process established by the President and the Chair of the Board of Deans of the American~~
14 ~~Association of Colleges of Osteopathic Medicine. No member of the nominating committee~~
15 ~~may be serving on an education bureau, council, or commission.~~
16

17 2. The Education Nomination Committee will receive all applications/nominations for the open
18 positions on the following: ~~The Commission on Osteopathic College Accreditation, COPTI,~~
19 ~~COPT, BOE, and PTRC. The nominating committee will recommend to the President-elect~~
20 ~~three individuals for every open position.~~
21

22 3. The President-elect will select and appoint one of these 3 individuals to each open position or
23 request additional nominees from the nominating committee. The appointments of the
24 President-elect are subject to the approval of the AOA Board of Trustees.
25

26 4. Appointment of representative and at-large members to the Bureau will be staggered and limited
27 to no more than three consecutive three-year terms for nine years cumulative. Membership and
28 chairperson appointments would be limited to a maximum of nine (9) years and six (6) years,
29 respectively, on any one bureau, council or committee.
30

31 5. Chair:

- 32 a. ~~The Chair will be a~~ppointed by the AOA President from the membership of the Bureau
33 for a two (2) year term of office.
34 b. Any member of the Bureau is eligible to be appointed to the position of Chair.

35 6.2. Vice-Chair:

- 36 a. ~~The Vice Chair will be a~~ppointed by the AOA President from the membership of the
37 Bureau for a two (2) year term of office.
38 b. Any member of the Bureau is eligible to be appointed to the position of Vice-Chair.

39 7.3. Secretary:

- 40 a. ~~Staff member selected by the AOA Chief Executive Officer;The Director of the Department~~
41 ~~of Education serves as Secretary without vote.~~
42 b. ~~The Secretary shall be r~~esponsible for both the recording and corresponding secretarial
43 activities of the Bureau.
44 c. ~~The Secretary shall be t~~he administrator for the Bureau.
45 d. ~~The Secretary s~~hall maintain technical expertise in the areas of responsibility of the Bureau
46 and make the Bureau aware of trends in these areas.

47 ~~The Secretary position is without vote.~~
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D. Standing ~~Committees~~Committee

Bureau of Osteopathic Education Appeal Committee

- 1. The ~~BOE- Bureau~~ Appeal Committee will be composed of three (3) regular members and three (3) alternate members elected by the membership of the Bureau at the beginning of each annual term. One member of the ~~BOE- Bureau~~ Appeal Committee will be a CME expert with at least three years experience from previous membership on the COCME or participation on a CME sponsor planning committee and one member of the Appeals Committee shall have experience in graduate medical education.
- 2. Any representative who holds an appointment to the COCME, COPT, COPTI or PTRC is not eligible to serve on the Bureau Appeal Committee.

4. Procedures of the Bureau of Osteopathic Education

A. General

- 1. The Bureau operates on *Robert's Rules of Order*, newly revised.
- 2. A simple majority of members will constitute a quorum sufficient for conduct of all business.
- 3. The constituent councils ~~and committees~~ of the Bureau operate within procedures approved by the Bureau and the AOA Board of Trustees, as appropriate. Each council ~~and committee~~ shall develop and maintain a procedural and policy handbook pertaining to their area of responsibility. Copies of these handbooks are ~~provided available~~ to each member of the Bureau.
- 4. With respect to the areas for which the Bureau retains final decision authority, ~~the~~ Bureau may approve, deny, defer action or remand an item back to the originating council ~~or committee~~.
- 5. With respect to the areas for which the Bureau makes recommendations to the AOA Board of Trustees, the Bureau's recommendation may be to approve, deny or defer action, or, remand an item back to the originating council ~~or committee~~. The Bureau forwards items recommended for approval to the AOA Board of Trustees for their review and final action.
- 6. The Chair or Vice-Chair of a council ~~or committee~~ will present that group's report to the Bureau, including resolutions ~~for~~ requiring action.
- 7. The Bureau will conduct appropriate orientation activities for its members.
- 8. The Bureau shall be responsible for the expenses incurred by attendance of such persons invited at the specific request of the chair or secretary.
- 10. The Bureau shall not be responsible for expenses incurred by persons appearing before the Bureau at the request of, or in the interest of, other organizations or individuals.
- 11. The ~~AOA Director of the Department of Education, in his/her capacity as~~ Secretary to the AOA Bureau, shall ~~be permitted to~~ attend all meetings, including ~~the~~ Executive Sessions.
- 12. Resolutions to the Bureau will not be considered if not posted for public comment at least 10 business days before the Bureau meeting.

B. Osteopathic ~~Graduate~~ Medical Education

The ~~BOE- Bureau~~ will address predoctoral and postdoctoral issues such as workforce, quality, recruitment, governmental initiatives, and other external forces impacting medical education. The Bureau will provide an opportunity for education leaders to meet and conduct high level discussions on education issues leading to recommendations to advance osteopathic medical education. The Bureau will also develop policy to strengthen the continuum between predoctoral and postdoctoral

1 education and review recommendations on current or proposed standards, policies, and procedures
2 pertaining to osteopathic ~~graduate~~-medical education. The AOA Board of Trustees will provide final
3 action on recommendations submitted by the Bureau.

4 C. Continuing Medical Education

5
6
7 The ~~BOE- Bureau~~ will review recommendations on current or proposed standards, policies and
8 procedures on recommendations of the COCME, and recommend action to the AOA Board of
9 Trustees. The AOA Board of Trustees will act on recommendations from the Bureau.

10 11 D. Appeal Procedures

12
13 Appeals of actions by the COPT, ~~Program and Trainee Review Council (PTRC)~~, the ~~Council on~~
14 ~~Osteopathic Postdoctoral Training Institutions (COPTI)~~ and the COCME will be heard by the
15 Bureau Appeal Committee through procedures approved by the AOA Board of Trustees (See
16 Appendix).

17
18 If new, directly germane information is presented prior to the commencement-conduct of a Bureau
19 appeal that information will be provided to the council ~~which made the~~whose decision ~~resulting in~~
20 ~~the appeals being appealed~~, or to its appropriate appeal or review committee, ~~as appropriate, for~~
21 ~~review and comment prior to the conduct of such appeal.~~

22
23 In the event the council ~~or committee~~ does not have its own Appeal Committee and the Bureau is
24 the first level of appeal, new materials submitted may result in the matter being remanded to the
25 originating council or committee for further deliberations.

26
27 This subsequent deliberation may result in reconsideration of a recommendation by the originating
28 council ~~or committee~~.

29
30 When the Board of Trustees and/or Bureau appeal actions vary from original recommendation, the
31 reasons for the variance shall be stated and communicated accordingly.

32 33 E. Advisors

34
35 1. The AOA ~~president, president-elect~~President, President-Elect, executive director, Chief
36 Executive Officer, chair-Chair and/or ~~vice chair~~Vice Chair of the Department of Educational
37 Affairs may meet with the Bureau as non-voting advisors on policies and procedures of the
38 AOA as applicable.

39
40 Other non-voting advisors may be appointed by the AOA President.

41
42 2. Non-voting advisors do not participate in the vote on business matters or participate in
43 executive sessions of the Bureau. With this circumstance, advisors shall recuse themselves from
44 the proceedings during the period that such actions or votes are under consideration by the
45 Bureau.

46 47 F. Observers

- 1 1. By precedence, all meetings of the Bureau are open to the public.
2 2. Observers include, but are not limited to, AOA staff, representatives of accrediting regulatory
3 bodies, osteopathic foundations, practice and non-practice affiliated organizations, ~~etc.~~ The
4 presence of observers shall be acknowledged by the ~~chairman~~, and recorded in the Bureau
5 minutes.
6

7 G. Conflict Of Interest Policy
8

9 The following is an adaptation of a ~~conflict~~ Conflict of Interest policy adopted by the AOA Board
10 of Trustees in October 1997 for the then Bureau of Osteopathic Education.
11

1
2 **Conflict of Interest Policy**
3

4 This policy statement governs matters of conflicts of interest and appearances of impropriety as they
5 may occur in the respective evaluations, deliberations, recommendations, and actions of the Bureau
6 of Osteopathic Education (BOE) and its subordinated Councils. These policies are applicable to
7 members of the AOA Board of Trustees, the ~~BOE- Bureau~~ and its subordinated councils, and also
8 to ~~members of the administrative~~AOA staff, appeals panels and evaluation teams, and to
9 consultants.
10

11 It is intended that these policies establish a mechanism whereby all individuals make known
12 situations of clear conflict and also those that may give rise to the appearance of impropriety. The
13 goal is to make sure that discussions and actions are participated in only by those who have no
14 conflict and, to the extent possible, that such discussions and actions avoid the appearance of
15 conflicts.
16

17 It is stated that elected officers and trustees of the AOA cannot serve on the Bureau and its
18 Councils. However, there is the further question of whether such individuals should be free to
19 participate in discussions of matters such as accreditation. The chair of the ~~BOE- Bureau~~ will be
20 able to direct an AOA ~~board- Board of Trustees~~ member to exclude himself/herself from those
21 specific discussions in which a conflict may exist. If there is any question of undue influence arising
22 from anything but purely disinterested motives, then discussion should simply be limited to
23 members of the respective bodies.
24

25 There should be no reluctance to employ executive session whenever a chair feels that discussion
26 may involve sensitive matters. Executive sessions of the AOA ~~BOE- Bureau~~ shall be limited to
27 voting members of the AOA ~~BOE~~Bureau, the AOA ~~Executive Director~~ Chief Executive Officer,
28 ~~the~~ Secretary to the Bureau, and by invitation, to those participants deemed appropriate to the
29 discussion.
30

31 Individuals asked to serve on the ~~BOE- Bureau~~ and its councils and other bodies will honestly
32 examine their individual circumstances and determine whether they can render fair and unbiased
33 service in general. Before the body sits down to serve, all of the members must have gone through
34 this self-examination. This is also true for staff and team and panel members. Full disclosure of any
35 doubtful situation to the other members of the body must be made. This is particularly true of
36 situations where the individual may honestly feel that he or she can be fair, but the situation gives
37 rise to, or may give rise to, an appearance of impropriety.
38

39 The decision to withdraw from discussions and/or not to vote should initially come from the
40 individual, but the final decision must come from the chair or the majority of the other members. If
41 the chair rules, such ruling should be subject to a call for a vote by other members. The chair may
42 feel that he or she should not substitute his or her judgment for that of a majority and may want to
43 call for a vote at the outset. It may be that one member may bring to the attention of the body a
44 possible conflict situation involving another member. Needless to say, this can give rise to a certain
45 amount of acrimony in some cases. Consequently, each member should keep in mind that he or she
46 should disclose his or her own possible conflict, so as not to put that sort of burden on a fellow
47 member. It may be that the very presence of a member with a conflict would inhibit the discussions
48 and actions of a body, so it is not unwarranted to ask a member to absent him or herself from the

1 deliberations in some circumstances. In some cases it may not be clear as to what particular body
2 should be informed and make rulings. In case of doubt, matters should be brought to the Bureau.
3

4 It is often difficult to define matters involving conflicts. Clearly, a financial interest creates a
5 conflict. However, some financial interests are indirect and it is here that a member must search his
6 or her conscience, because such interest may not appear to the others. Anyone serving on a board
7 or committee brings to the body the sum total of his or her experience and personal opinions. The
8 key question is whether a particular opinion or belief can stand in the way of rendering a fair and
9 unbiased discussion or decision based on the facts and the rules. This may be a highly subjective
10 determination and it underscores that individuals should be required to make disclosure to the other
11 members whenever there is a question.
12

13 In the accreditation area, examples of situations, which may or may not create conflicts, are:
14

- 15 (A) being an alumnus or alumna of an OPTI under consideration;
- 16 (B) being an employee or board member of the OPTI (this would most likely create a conflict);
- 17 (C) being involved with a competitor of the OPTI (competition is often difficult to ascertain --
18 there is a question of direct or remote competition); and
- 19 (D) having a family or business relationship with others affiliated with the OPTI under
20 consideration.
21

22 This is not an inclusive list, but is intended to give some guidance.
23

24 It should be kept in mind that the integrity of the respective body is always at risk, so that each
25 member should be constantly aware of creating an appearance of improper conduct even where
26 there may not be such in fact. Connections with affected individuals and institutions cannot always
27 be avoided. Such connections often bring a measure of experience and expertise to the process.
28 However, when such connections exist, it is prudent to err on the side of greater caution and make
29 full disclosure.
30

31 H. Document Posting 32

33 Pursuant to AOA Board of Trustees policy, all documents which the ~~BOE~~ Bureau submits to the
34 AOA Board of Trustees for final approval will be updated and posted on the AOA Website within
35 ninety (90) days of Board of Trustees final action.
36

Appendix A: Appeal Procedures and the Appeal Process

I. Introduction

The Bureau of Osteopathic Education (BOE Bureau) is a component of the American Osteopathic Association (AOA) Department of Educational Affairs. The BOE Bureau receives reports and recommendations from its constituent councils: the Council on Osteopathic Continuing Medical Education (COCME), and the Council on Postdoctoral Training (COPT)² and its subordinated councils, the Council on Osteopathic Undergraduate Medical Education, and the Council on Graduate Medical Education Development. The Bureau acts to make policy recommendations to the AOA Board of Trustees in the areas of continuing medical education, postdoctoral training and international osteopathic education. Additionally, through its operations, the BOE Bureau is responsible for assuring the AOA Board of Trustees, the osteopathic medical community and the public that its actions and the actions of its constituent councils and committees are in compliance with the policies, procedures, rules and regulations of the AOA and BOE Bureau.

The BOE Bureau maintains an appeal process for review of actions of the COPT and its subordinated councils, and the COCME.³ The appeal process is supervised by a standing Appeal Committee that is appointed each year pursuant to the procedures set forth below and in the *Handbook of the Bureau of Osteopathic Education (Handbook)*. Except as otherwise provided in this document, the BOE 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 BOE Bureau and its 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 BOE 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*. The Appeal Committee shall be comprised of three (3) members of the BOE Bureau, elected by the entire BOE Bureau membership at the first meeting of the BOE Bureau after the AOA's annual meeting. One member of the BOE Bureau Appeal Committee will be a CME expert with at least three years experience from previous membership on the COCME or the Category 1 Sponsor planning committee. Members shall serve three (3) year staggered terms, with one (1) new member elected each a one year term. Terms must be consistent with dates of appointment to the BOE. In

²The COPT includes two subordinated councils: the Program and Trainee Review Council (PTRC) and the Council on Osteopathic Postdoctoral Training Institutions (COPTI).

³ Where appropriate, appellants from decisions of the CCME may be required to appeal actions of the CCME to the CCME Review Panel before appealing to the BOE Appeal Committee.

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1 ~~the event that an Appeal Committee member cannot complete a three-year term, a replacement~~
2 ~~member shall be elected to complete the remainder of that individual's term.~~

3
4 In addition, three (3) BOE members shall be elected to serve as alternate members of the Appeal
5 Committee. ~~Alternates will be elected for staggered three (3) year terms, with one (1) new alternate~~
6 ~~member elected each year. Terms must be consistent with dates of appointment to the BOE. In~~
7 ~~the event that an alternate member of the Appeal Committee cannot complete the three-year term, a~~
8 ~~replacement member shall be elected to complete the remainder of that individual's term.~~

9
10 No member or alternate member of the Appeal Committee may hear or vote on an appeal when
11 that member has previously acted on the appellant's case, or has any interest in or relationship to an
12 appellant (e.g., works in the same institution). Where appropriate, members of the Appeal
13 Committee may recuse themselves from hearing any appeal. An appellant may indicate their
14 concerns about possible conflict(s) of interest with member(s) of the Appeal Committee.

15 16 **IV. Appeal Requests**

17 18 A. Who May Appeal

- 19
20 1. Any individual member, or ~~an~~ approved ~~/or~~ accredited educational institution, may appeal any
21 decision of ~~the a~~ constituent ~~committees~~ council of the ~~BOE~~ Bureau.
22
23 2. Specialty affiliates may appeal to the Appeal Committee, but must do so within thirty (30) days
24 of receipt of the constituent council ~~or committee~~ decision. Thereafter, the Appeal Committee
25 shall hear the appeal at a regular meeting or special meeting within sixty (60) days of appeal
26 submission.
27
28 3. Constituent committees, councils, and/or bureaus of the AOA shall not initiate, or be granted,
29 an appeal, but may request an appeal to the AOA Board of Trustees.
30

31 B. Scope of Appeal. The Appeal Committee has jurisdiction to consider appeals based on
32 allegations of unequal application of regulations, requirements or standards; unwarranted
33 discrimination; prejudice; unfairness; or improper conduct of all or any part of the action taken
34 by the council or committee.
35

36 ~~Appeals based on intern or resident contracts are not heard by the Bureau of Osteopathic~~
37 ~~Education, but shall be directed by the Committee to the AOA Board.~~

38
39 C. Initiation of Appeal. Appellants shall initiate the appeal process by submitting written requests
40 for appeals to the Chair of the ~~BOE~~ Bureau. The request for appeal shall include a summary of
41 the factual background surrounding the matter and the alleged basis for the appeal. Where
42 possible, the request should be supported by documentation that either supports the appellant's
43 position or provides information regarding facts or circumstances that the constituent council or
44 committee did not give due consideration.
45

46 D. Filing an Appeal Request. Appeal requests shall be filed with the Appeal Committee Chair and
47 sent care of the following address: Secretary, Bureau of Osteopathic Education, American
48 Osteopathic Association, 142 E. Ontario Street, Chicago, Illinois 60611. Appeal requests may

1 also be submitted by email or other electronic communication by first contacting the Secretary
2 for the appropriate address.

3
4 During the appeal process it is important that the Appeal Committee be notified of any change
5 in address so that the procedure is not delayed because communications are not received in a
6 timely fashion.

7
8 Following receipt of an appeal request, AOA staff shall review the request and documentation to
9 confirm that the appeal meets the requirements set forth above and is within the Appeal
10 Committee's jurisdiction. Appellants shall be notified ~~within 10 business days by certified mail~~
11 whether ~~or not~~ a request for ~~appeal-a hearing~~ has been granted and provided information as to
12 the anticipated date, time and location for the ~~appeal~~-hearing. If an appeal is granted, staff shall
13 also notify the Secretary of the constituent council or committee and any other parties
14 concerned with the decision.

15
16 E. Effect of Appeal/Stay of Underlying Decision. Upon receipt of a request for an appeal, the
17 underlying action ordered by the constituent council or committee shall be stayed. The Chair of
18 the Appeal Committee shall review appeal petitions within one month of receipt to determine if
19 the stay is necessary or appropriate. The parties shall be notified if the Chair decides to remove
20 the stay. Appellants or appellees may submit written materials to the Chair in support of or
21 opposition to a stay.

22
23 F. Requests for Reconsideration. In addition to an appeal, ~~appellants specialty affiliates~~ may seek
24 reconsideration from the constituent committee. To request reconsideration, within thirty (30)
25 days of receipt of the notice of action, the ~~individual, institution or appellant specialty affiliate~~
26 seeking reconsideration shall submit a formal written request to the chair of the relevant council
27 or committee and the BOE Chair. Requests for reconsideration shall be based on facts or
28 information not ~~known by the affiliate available~~ at the time the council or committee acted. The
29 basis for the request for reconsideration must be stated in the request. Reconsideration is a
30 discretionary action and not a right. Following receipt of a request for reconsideration, a
31 constituent council or committee may choose not to consider a request for reconsideration.
32 Decisions to grant or deny reconsideration cannot be appealed to the appeal committee.

33 34 V. Appeal Fees

35
36 All educational programs, specialty colleges and OPTIs must submit a \$2,500 appeal fee with the
37 formal written appeal request. Appeal fees do not apply to individual requests from students or
38 physicians, including trainees. Should the ~~BOE- Bureau~~ Appeal Committee overturn a decision from
39 one of the Education Councils, half the application fee (\$1,250) would be returned to the appellant,
40 whether the decision was fully or partially overturned.

41 42 VI. Appeal Presentation and Protocol

43
44 A. Written Submissions. ~~Once a hearing date~~~~After an appeal date~~ is ~~scheduled, granted~~, parties
45 involved in the appeal may submit written materials in support of or opposition to the appeal.
46 The written submissions should be submitted no later than fourteen (14) days before the appeal
47 hearing date in order to ensure that the Committee has an opportunity to review the materials.
48 The materials should include copies of appropriate documentation and be limited to the specific

1 issues involved in the appeal. Personal narratives, without supporting documentation, are
2 discouraged.

3
4 At the request of the Appeal Committee or a Council whose decision is involved in an appeal, a
5 constituent ~~committee-council~~ may participate in the appeal process by submitting written
6 documentation, attending the appeal hearing to respond to questions of the Appeal Committee
7 or, with the consent of the Appeal Committee chair, making an oral presentation at the appeal
8 hearing.

9
10 Third-party presentations concerning the appeal, either orally or in writing, will be accepted in
11 appropriate circumstances. The other parties to the appeal will be advised of the third party
12 submission.

13
14 The materials submitted by the parties should be limited to information and documentation
15 available to the constituent council ~~or committee~~. If new material is submitted by the parties,
16 the Appeal Committee ~~shall~~ may refer the appeal to the constituent council or committee as a
17 request for reconsideration.

18
19 B. Format for Appeal Hearing. The Chair of the Appeal Committee shall determine the protocol
20 for the appeal based on the facts and circumstances presented. Appeal hearings will generally
21 conform to the following guidelines:

22
23 Approximately forty (40) minutes is allocated for the appeal:

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

30
31 C. Alternate Appeal Formats. Appellants are strongly encouraged to appear in person to present at
32 appeal hearings. However, at the request of an appellant, an appeal may be heard telephonically
33 or reviewed solely on the basis of materials submitted in writing. A request for a presentation by
34 telephone or an appeal based solely on documents should be made no less than fourteen (14)
35 days prior to the scheduled hearing date.

36
37 D. Representation by Counsel. An appellant may be represented by legal counsel. However, even
38 when represented by legal counsel, an appellant must answer questions raised by the Appeal
39 Committee during the question and answer portion of the hearing. If the appellant intends to
40 have legal counsel present, the Appeal Committee must be notified of the name and address of
41 counsel at least fourteen (14) days prior to the hearing. Expenses incurred in connection with
42 the appeal shall be borne by the parties to the appeal and shall not be the responsibility of the
43 Appeal Committee or the AOA.

44
45 E. Following the hearing, the Appeal Committee will conduct deliberations in Executive Session.
46 All proceedings of the hearing are held in confidence.

47 48 VII. Adjudication by the Appeal Committee

- 1
2 The Appeal Committee takes action on all appeals heard and may decide upon any of the following
3 outcomes:
- 4 • **Deny** – Actions of the constituent committee or council are upheld.
 - 5 • **Approve** – Actions of the constituent committee or council are overturned.
 - 6 • **Request Additional Information** – The Committee determines that it needs additional
7 information to decide the appeal and requests that the parties provide additional information.
 - 8 • **Defer** – The appeal is remanded back to the constituent committee or council for further
9 review. The constituent committee or council is advised to submit any new recommendations
10 or information for the next regularly scheduled meeting of the Appeal Committee.

11
12 Deliberations of any appeal and all materials reviewed are held in confidence, in accordance with the
13 policies of the AOA and the Bureau of Osteopathic Education.

14
15 Appellants should note that an appeal request will not automatically extend the time of program
16 approval or OPTI accreditation. While an appeal will temporarily stay the action recommended by a
17 council, the appeal committee has the authority to maintain the original action date of the council
18 decision as part of its decision.

19 20 **VIII. Formal Notification of Appeal Action**

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

30