Initiation of Complaint or Inquiries

1) Complaints/inquiries are written notifications to the CMA by a third party which claim that a CMA accredited provider is not in compliance with CMA accreditation requirements with regard to one or more of its activities.

2) To receive status as a complaint/inquiry, the written complaint must confirm the name, mailing address and contact information of the person making the submission.

3) Complaints/inquiries may relate to:
   a) to a single activity; or
   b) the provider’s entire CME program.

4) The statute of limitation for initiation of any complaints/inquiries is:
   a) twelve (12) months from the date of a live activity.
   b) in the case of a series, twelve (12) months from the date of the session that is the subject of the complaint/inquiry.
   c) twelve (12) months from the date an enduring material expires.

5) The confidentiality of the complaining/inquiring party shall be protected, except as may be required by legal process.

6) CMA may initiate a complaint or inquiry about an accredited provider.

Procedure for review, analysis, compliance determination and reporting regarding complaints and inquiries

7) CMA will review the complaint/inquiry to determine whether it relates to the manner in which the provider complies with CMA accreditation requirements.

8) If CMA determines in its sole discretion that a third-Party concern or a CMA initiated concern does not relate to a provider’s compliance with CMA accreditation requirements, then the matter will be closed, and CME will notify in writing any third parties that submitted third-party concerns that it will not open an inquiry.
9) If CMA, in its sole discretion, determines that a third-party concern or a CMA initiated concern merits further review, then CMA shall send, via a mode that confirms provider receipt of a notice of inquiry, which shall include a redacted copy of any third-party concern, or state that the issue being addressed is a CMA initiated concern. The name of the third party that submitted the third-party concern will be redacted and will not be disclosed to the Provider. The notice of inquiry may request that the Provider transmit information to CMA. The notice of inquiry shall include a copy of this Policy and the Reconsideration and Appeal Policy. CMA will notify in writing any third parties that submitted third-party concerns that it will open an inquiry. CMA will not communicate further with third parties concerning the status or results of the inquiry other than to inform a third party that a matter has been resolved without indicating the resolution.

10) All responses from the provider to a notice of inquiry must be received by the CMA within thirty days after the provider receives the request for information/response from the CMA.

11) The CMA may or may not need to ask the provider for additional information. If, during the course of addressing the complaint inquiry, additional information is needed from the provider then the provider’s response must be accompanied, where possible, by supporting documentation.

12) If CMA, in its sole discretion, makes a preliminary finding of noncompliance, the preliminary finding of noncompliance and a recommendation for corrective action shall be sent to the Steering Committee on Continuing Medical Education (CCME). The CCME shall in its sole discretion make a determination as to whether to issue a finding of compliance or noncompliance and what corrective action, if any, shall be required from the provider in the event of noncompliance, and whether to take an adverse action and/or any other action described below.

13) If the CCME Committee makes a finding of compliance, CMA shall notify the Provider of the finding and that the matter will be closed.

14) If the CCME Committee makes a finding of noncompliance, CMA shall send the Provider a Notice of Noncompliance. CMA, in its sole discretion, may also take the following actions when it sends the provider a notice of noncompliance: CMA may require the Provider to submit documentation of corrective action within thirty (30) days of delivery of the notice of noncompliance. If an activity is found to be in noncompliance with the ACCME Standard for Commercial Support 1 (Independence), Standard for Commercial Support 5 (Content and Format without Commercial Bias), or the content validity policies, the provider is required to provide corrective information to the learners, faculty and planners (the “corrective information”). The Provider shall submit a copy of the proposed corrective information to CMA for CMA's approval or modification prior to providing such corrective information to the learners, faculty and planners, and CMA shall have the sole discretion to determine the content of the corrective information. In addition, CMA shall have the right to direct that learners, faculty and planners be informed by the provider that in the opinion of CMA, certain information presented to the learners does not meet the ACCME standards for content validity, and that in CMA’s opinion a learner should not rely upon such information;
a) CMA may require the Provider to submit a monitoring progress report at a time determined by the CMA;
b) CMA may declare that a Provider no longer is accredited with commendation; and
c) CMA may take an Adverse Action, in which case the Provider shall be informed of its right to request a reconsideration pursuant to the Reconsideration and Appeal Policy.

Change in Accreditation Status due to Failure to Respond, Act, or Comply with a Course of Corrective Action or Monitoring Requirement

CMA shall have the right to take an adverse action with respect to a provider without following any other process described in this policy if a provider is determined by CMA, in its sole discretion, to: have not submitted information required by this Policy within ten (10) days after the prescribed deadline; have not taken action required by this Policy within ten (10) days after the prescribed deadline; have not submitted a monitoring progress report within ten (10) days after the prescribed deadline; and/or have not submitted documentation of corrective action within ten (10) days after the prescribed deadline. Changes in accreditation status described in this paragraph shall not entitle the Provider to review under the Reconsideration and Appeal Policy and shall not require review by the CCME. If a provider submits documentation of corrective action but the CMA in its sole discretion determines that such action does not demonstrate compliance with CMA’s accreditation requirements, or if a provider submits a monitoring progress report and the CMA determines in its sole discretion that the actions reported do not show compliance with CMA’s accreditation requirements, then CMA reserves the right in its sole discretion to take an adverse action. The provider shall have the right to request reconsideration under the Reconsideration and Appeal Policy within thirty (30) days from the delivery of a communication to the provider of an adverse action under the circumstances described in the immediately preceding sentence.