

## **1.1 Appeals on Eligibility**

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Candidates who have been deemed ineligible to sit for an examination may appeal in writing to the American Board of Multiple Specialties in Podiatry. The letter must be accompanied by supporting documents. The appeal must be received within 10 days after the notice of ineligibility is sent to the candidate. The American Board of Multiple Specialties in Podiatry will review the appeal and notify the candidate in writing of its decision within 10 days of receipt of the written appeal.

## **1.2 Examination Challenges**

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ABMSP shall provide candidates with opportunities to question the reliability, validity, and/or fairness of a test and its questions. The candidate is given the opportunity to comment about any test question or questions, test procedure, and/or the test itself by completing the Candidate Comment Form at the end of the examination. These forms are submitted to ABMSP by the Test Administrator.

A candidate may also send a letter describing the basis for the content challenge or administrative complaint. All relevant information should be included. The letter of challenge or complaint must be postmarked no later than fourteen (14) days after taking the exam. ABMSP will NOT consider challenges or complaints sent after this deadline. ABMSP will investigate the candidate's Candidate Comment Form or other written challenge or complaint and respond in writing to the candidate within 14 days after receipt of the complaint. A candidate may appeal the decision by writing within 10 days from issuance of the decision; ABMSP will only reconsider a challenge or complaint if the candidate provides a rationale for why the original disposition of the challenge or complaint was arbitrary or capricious.

All Candidate Comment forms, challenges, or complaints shall receive full attention from ABMSP. The forms are first reviewed by the Test Department staff. Comments that address test questions are reviewed, within 10 business days, to assess their veracity. The comment and supporting information are brought to the attention of a psychometrician. If changes are merited by the comments and supporting information then an amendment may be made to the answer key. The impact on passing scores is then assessed; if it is determined that a change would alter the outcome for a failing candidate, ABMSP shall either issue the certification or (if the candidate has already retaken the exam) issue a refund of the retake fee.

If the psychometrician cannot determine the merit of a complaint after the review of an item, the psychometrician will consult with one or more Subject Matter Experts (SMEs) about the complaint. The psychometrician and the SMEs will then decide about the question. If change is merited, the procedure described above will take place.

Examination material is not available for review by candidates, unless such review is guaranteed by state law.

In the event a candidate is not satisfied with a decision rendered regarding an appeal or challenge to their examination, they may notify ABMSP in writing and the ABMSP Board of Directors shall appoint an Appeals Task Force, comprised of at least 3 diplomates who are certified in the specialty of the examination under question. The Appeals Task Force shall review all of the documentation submitted with the appeal, and will render a written determination as to the resolution of the appeal within 14 days after receipt of the appeal. The decision of the Appeals Task Force shall be final. (4/1/2016)

### **1.3 Appeals on Recertification**

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If a diplomate is denied recertification due to improper or incomplete documentation, he/she may appeal that decision by writing a letter which shall be postmarked no later than thirty (30) days from the postmark date on the original notification letter sent from the Podiatric Board. The letter shall be addressed to the American Board of Multiple Specialties in Podiatry, 1350 Broadway, 17<sup>th</sup> Floor, New York, NY 10018. The letter shall clearly list the reasons the individual believes the recertification was improperly denied, including any documentation to support such claim.

Within 30 days from the date of the letter, the Board of Directors of the American Board of Multiple Specialties in Podiatry will consider the matter and send a written decision. Such decision shall be final and there shall be no further appeal.

### **1.4 Appeals on Annual Dues**

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If a diplomate registers an appeal about their dues or dues notification, such appeal shall first be referred to the Treasurer, who will render a written decision within 7 days after receipt of the appeal. In the event the diplomate is still not satisfied with the resolution of his/her complaint, an appeal must be lodged in writing within 7 days after the decision of the Treasurer. The matter will then be referred to the President, who shall issue a written decision within 7 days. The decision of the President shall be final.

### **Complaints Policy**

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From time to time situations may occur that create legitimate concern on the part of the public or constituents relative to ABMSP or its diplomates. By adopting this policy, ABMSP hopes to encourage the public to share its concerns and complaints, and will strive to reach a rational and satisfying resolution. Anyone having concerns or complaints, therefore, is encouraged to place them in writing, sign, and submit to the President.

- Step 1 – The written statement should contain the individual’s name, address, email address, and telephone number; the condition, situation, or individual involved in the complaint and why; and the requested remedy. The form should be signed, dated, and filed with the President. A complete investigation will be conducted which may include, but not be limited to conducting interviews, reviewing publicly available documents, conducting an online search, or asking for additional documents. A response will be provided within five (5) business days from the date it was presented to the President.
- Step 2 – If the complainant is not satisfied with the decision of the President, he/she may submit a copy of the complaint to the Board of Directors within ten (10) business days of receiving the decision.
- Step 3 – As soon as practical, the Board of Directors shall consider the complaint and may contact the complainant and/or invite the complainant to meet with the Board to provide further information. The Board may conduct an investigation including but not limited to conducting interviews, reviewing publicly available documents, conducting an online search for asking for additional documents.
- Step 4 – The Board of Directors will issue a written response of its findings within 30 days after the appeal is filed. Any decision of the Board shall be final and binding on ABMSP(1/7/2007)

Although documents and other correspondence pertaining to a complaint will be retained in the headquarters office according to its records retention policy, any investigation pertaining to a diplomate of the ABMSP shall be sealed unless required by law to be divulged.