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.

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

2. **Appeal Hearing**
   A. Upon receipt of a Request to Appeal an Order for Disciplinary Action, the Medical Control Authority shall schedule a special meeting for the purpose of hearing an appeal. Said meeting shall be scheduled as soon as practicable following receipt of a Request to Appeal.
   B. The acceptance of a Request to Appeal shall not forestall the Order for Disciplinary Action nor the imposition of it on the appellant licensee.
   C. The Medical Control Authority shall honor a request to postpone a meeting, 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 Medical Control Authority shall hold an Appeal Hearing to review the appellant licensee's new information and exercise one of the following options:
      a. Uphold the original decision and subsequent Order for Disciplinary Action.
      b. Diminish the Order for Disciplinary Action to a lesser Disciplinary Action (i.e., suspension of privileges diminished to written reprimand).
      c. Revoke the Order for Disciplinary Action (revocation of an Order for Disciplinary Action 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 Medical Control Authority 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, in writing, no more than 30 calendar days following notification of the final determination by the Medical Control Authority.
      a. If a decision of the Medical Control Authority is appealed to the Emergency Medical Services Coordination Committee, the

Medical Control Authority shall make available, in writing, the medical and economic information it considered in makings its decision.

3. Appeal Hearing for an Immediate Threat

A. If the Medical Control Authority determined that an immediate threat to the public health, safety, or welfare exists, appropriate action to remove medical control privileges can be taken immediately until the Medical Control Authority has had the opportunity to review the matter at a Medical Control Authority hearing. The hearing shall be held within 3 business days after the Medical Control Authority's determination to remove medical control.