

1. Purpose

- a. The purpose of this APHPT standard operating procedure document is to outline the operating procedures to report violations of the APHPT Code of Conduct.

2. Process for investigating and resolving complaints

a. Procedure

- i. Allegations of misconduct may be submitted to the APHPT when the alleged action is directly connected to a program operated under the direction of the APHPT, its presentations, publications, meetings, and/or events. An allegation is not in itself proof of misconduct, and because allegations have the potential to damage professional credibility and cast doubt on the entire career of an accused party, whenever possible, the APHPT will observe strict confidentiality, until the investigation process has been completed and a ruling is issued by the Board of Directors. After completion, confidentiality may or may not be preserved, depending on the case and the findings.
- ii. Allegations of misconduct by APHPT members, staff, or others in connection with APHPT activities, must be submitted in writing directly to the Chair of the Governance Committee (GC) at governance@aptapelvichealth.org.
- iii. The allegation(s) must contain the following information:
 1. The name and affiliation of the person(s) submitting the allegation and the name and identifying information of the person(s) alleged to have committed the misconduct.
 2. A description of the allegation that includes the date and circumstances of the alleged misconduct.
 3. Any documents or other relevant items that support the allegation (e.g. data, papers, memos, emails, photographs, etc.) with annotation showing specifically how the item(s) relates to the allegation.
 4. An explanation of how the allegation is considered misconduct as defined in the APHPT Code of Conduct.
 5. A statement explaining any conflict(s) of interest [link to Code of Conduct] the person making the allegation has with the individual(s), entity(its) or situation(s) named in the allegation. A conflict of interest does not preclude the filing of an allegation.
- iv. Allegations may be returned to the Petitioner if they do not contain the above information. It is advisable for anyone experiencing unacceptable behavior to keep detailed records of such incidents, including dates, and names of any potential witnesses.
- v. Within 10 business days of receipt of a grievance, when reasonably possible, the GC Chair will notify the following parties that a grievance has been received:
 1. GC members
 2. APHPT Executive Committee and Executive Director
 3. Petitioner to confirm receipt of the allegation
- vi. Submitted allegations will be initially reviewed by the GC, and within 15 business days, as reasonably possible, the GC Chair will report to the APHPT Executive Committee, Executive Director, and Petitioner whether the grievance
 1. Does not constitute misconduct as defined by the APHPT Code of Conduct and no further action is warranted or;

2. Appears to constitute misconduct as defined by the APHPT Code of Conduct and may require further investigation and action by the APHPT Board.
 - a. If the GC members agree that the allegation does not constitute misconduct, the Petitioner will be notified as soon as reasonably possible by the GC Chair and the allegation will be dismissed.
 - b. If the GC members believe that the allegation may constitute misconduct, then an investigation will be initiated which may include outside resources or expertise. At that time, the Petitioner and respondent will be notified.
- vii. If the Respondent admits to the alleged misconduct at any time during the procedure, the investigation will be halted and GC will prepare recommendation to the Board of Directors for actions or sanctions to be taken.
- viii. If necessary, steps will be taken to prevent harassment of the Petitioner, and GC may consider what additional protections need to be implemented.
- ix. In some cases, an allegation may be resolved informally, such as through an apology and assurance that the action will not happen again (especially in cases of the respondent unknowingly causing offense) or may best be resolved through mediation. Either the Petitioner, Respondent or the GC Chair, may make a recommendation for mediation at any time during the investigation process, or as a final resolution after an investigation is completed.

3. Involved parties: Definitions

- a. The **Petitioner** is the individual who registers/makes the allegation with APHPT. The Petitioner need not be an APHPT member.
- b. The **Respondent** is the individual(s) against whom the allegation(s) is made. The Respondent must be an APHPT member, an author of an APHPT publication or presentation, a APHPT meeting attendee, contractor or exhibitor.
- c. The **Chair of the APHPT Governance Committee (GC)** coordinates APHPT investigations of misconduct. The GC chair is nominated by GC members and appointed after approval, via majority vote, by the APHPT Board of Directors.
- d. The **Board of Directors** has the final authority to determine what actions will be taken if an allegation is found to be substantiated.
- e. The **Governance Committee (GC)** reports to the Board of Directors and is responsible for investigating allegations that are deemed to be substantial and thereby require investigation. In addition to its standing membership, additional GC members may be appointed as needed, selected based on the nature of the case or allegation.
 - i. Adding members if existing members have COI
 - ii. Adding members if additional expertise is needed
 - iii. If the Chair cannot serve if COI exists or for other reasons, a Vice Chair will be appointed. Because of other substantial responsibilities, APHPT committee chairs should not be considered for nomination.
 - iv. The APHPT President will work with the GC Chair annually to review nominations and finalize GC membership as members fulfill their terms.

4. Process for investigation

- a. GC will complete its investigation within 90 days, when reasonably possible, but may let the APHPT Executive Committee and Executive Director know if an extension is if needed, and for additional legal or non-legal expertise. If the internet and conference calls are to be used as part of the panel operations, adequate security and confidentiality of the proceedings must be taken.

- b. The GC Chair will consult with GC members to determine the schedule of the investigation and make assignments regarding specific actions to be taken by the committee and its members. When possible, all procedures will be conducted under strict confidentiality; however, the identity of the Petitioner may be revealed to the respondent, the committee members and the witnesses as needed.
- c. The GC chair will notify the Petitioner and Respondent in writing that an allegation has been received and will be investigated and will provide an approximate timetable and description of the investigation.
- d. Information and data about the allegation will be collected. The Petitioner and Respondent will be invited to meet with GC. Any information collected by the committee will be forwarded to both the Petitioner and Respondent at least 5 business days before the meeting so that all parties may have time to evaluate it and prepare a response. The Petitioner and respondent may also provide written statements for themselves or others as part of the preceding at least 5 business days before the meeting. Meetings may be:
 - i. Individually with the GC
 - ii. Include both the petitioner respondent for mediation with GC
- e. During the meeting:
 - i. The GC Chair will summarize the allegation and associated evidence of misconduct
 - ii. The respondent will be given the opportunity to respond to the allegations
 - iii. GC members will be allowed to ask questions of both the Petitioner and the respondent
- f. At a separate meeting the GC will consider all the evidence presented and make a determination as to whether misconduct occurred and recommend a response for each act of misconduct. To make this determination, there must be a quorum of the GC (described in the APHPT bylaws as the majority of voting members). The final recommendation(s) that will be presented to the Board of Directors will be determined by a majority vote.
- g. The findings and recommendations of GC will be forwarded to the Board of Directors in a report prepared by GC and submitted by the Chair. The report should be clear, complete and a final determination of all charges. At a minimum, the report will include
 - i. Summary of the alleged misconduct
 - ii. Summary of the fact-finding activities of the committee
 - iii. Discussion and conclusion of the fact finding
 - iv. Recommendation for actions or sanctions to be taken
 - v. Appendices as needed containing supporting documents and written statements.
- h. The Respondent or Petitioner may retain the services of an attorney at their own cost. APHPT may also retain legal counsel if GC or the APHPT Board Directors deems it necessary.
- i. Actual, perceived, or potential conflicts of interest must be disclosed in all actions by GC, GC Chair, the subject matter experts retained by the GC and the Board of Directors during an investigation. Members with relevant conflict(s) of interest must recuse themselves from participation in the investigation, discussions, decisions and votes on actions to be taken.

5. Review by the Board of Directors

- a. The APHPT Board of Directors, in Executive Session, will review the findings and recommendations submitted by GC. The Board may accept or reject the GC recommendations of actions to be taken but MAY NOT reject the conclusions (findings) of GC. The Board can request additional investigation which GC will have 90 days to conduct, when reasonably possible. The action of the BOD will be summarized in a report for the record and a copy forwarded to GC. The Board will notify the GC Chair, the Respondent and the Petitioner of its decision within 10 business days of the Executive Session.

6. Sanctions

- a. If a finding of misconduct is made by GC, the Board of Directors will decide on the actions to be taken which may be the same or different as recommended by GC. The BOD will specify the sanctions, the period of time over which the sanction(s) will be in effect, correction of the publication and /or meeting record, and recommendations for education or training. Sanctions, in increasing severity, may include but are not limited to the following:
 - i. Written reprimand or warning
 - ii. Recommended removal from APHPT leadership position
 - iii. Suspension of membership
 - iv. Permanent expulsion from the APHPT
 - v. Denial or revocation of honors and awards
 - vi. Notification to respondent's home institution
 - vii. Publication/notification to members of incident in APHPT publications in cases of plagiarism of scientific misconduct
 - viii. Suspension from attending or making presentations at APHPT events or sponsored events for a specific period, including permanently if appropriate.
 - ix. Withdrawal/retraction of presentations, publication or posters
 - x. Publication of 'errata' notices
 - xi. Placement of an author or reviewer on an APHPT watch list
 - xii. Notification of other journals or relevant institutions
 - xiii. If the allegations are related to research misconduct or plagiarism and involve U.S. federally funded research or institutions other than the APHPT, the BOD may choose to notify those institutions as well.

7. Appeals

- a. Once the BOD has decided to take action(s) against the Respondent, the Respondent has 60 days to file an appeal of the sanction and/or the finding.
- b. An appeal must be based on NEW evidence or reconsideration of evidence and include a narrative justification for the appeal.
- c. The BOD will meet in Executive Session at its next scheduled meeting to review the appeal and sustain or revise its decision on the sanction or refer the appeal to the GC for reconsideration of the finding. That action will be documented for the record and will be communicated to the Respondent and GC within 10 days following the BOD meeting, when reasonably possible.
- d. If the BOD refers the appeal to the GC, the GC may then have up to 90 days to reconsider the finding, any new evidence and decisions. GC may ask the BOD for an extension if necessary.

8. Statute of Limitations

- a. It is preferred that allegations of misconduct be made within 12 months of the incident or within 60 days of the discovery of the incident. However, the APHPT, at its discretion may investigate older incidents on a case-by-case basis.
- b. All incidents will be considered individually and as such, there is no absolute APHPT statute of limitation for considering ethical issues.

9. Independent Action by the Board of Directors

- a. In cases where the BOD believes that immediate action is needed because of the seriousness of the incident or where the reputation of the APHPT is at stake, they may act independently of GC.
- b. The action taken and sanctions levied must be documented for the record and a copy forwarded to the GC Chair.

10. Closure and Tracking of Allegations and Decisions

- a. Once action has been taken by the APHPT that issue is considered closed with the exception of a single appeal.
- b. The same issue may not be pursued independently through another APHPT process or entity after a decision is made or after appeal is concluded.
- c. The GC Chair and the APHPT Executive Director will be responsible for recording allegations and decisions in a secure database with access limited to their use and that of the BOD.
- d. Reports of misconduct and harassment will be maintained for up to 10 years, to help address the issue of repeat offenders.
- e. A summary report of APHPT grievances (without specific descriptors or identifiers) and their disposition will be made available to the APHPT Board and membership annually.