

Alternate Dispute Resolution Standard Operating Procedures.

A. Any actual entity, be that provider or individual representing a provider, service or hospital that is aggrieved in connection with the CVRAC rule(s) in accordance with its by-laws, trauma system plan, guidelines or protocol; action(s) or inaction(s), or any situation or circumstance causing dissent or aggravation, may formally protest to the CVRAC of Trauma Service Area "K". A formal protest must be written, with date and signature of protestor(s), addressed and delivered to the CVRAC Chair Person, CVRAC Executive Director and another officer of the executive board, of Trauma Service Area "K".

B. Copies of the protest will be mailed or delivered by CVRAC Chair Person and or CVRAC Executive Director upon receipt of a written protest for the purpose of establishing full disclosure of situation or circumstance, and for making preparations for a formal hearing to address such protest for resolution if deemed necessary. A formal protest must contain:

1. A specific and objective identification or statement of the aggravating situation or circumstance that the protested action is alleged to have been or is in violation.

2. A specific and objective description of each act alleged to have violated or aggravated the protestor(s).

3. The aggrieved party's argument(s) and authorities in support of the protest.

4. Describe the relief/decision requested to resolve the matter.

C. The CVRAC Chair Person and/ or CVRAC Executive Director and another officer of the executive board shall have the authority to settle and resolve the dispute to the Executive Board or Committee with ample and appropriate selection of all parties necessary to resolve the dispute.

D. The Executive Board or Committee may solicit written responses to the protest from interested parties. If the protest/dispute is not resolved by mutual agreement, the committee will issue a written determination of the protest within thirty (30) days of receipt of all pertinent (by definition of DSHS) data.

1. If the Committee determines that no violation of rule(s) in accordance with its by-laws, trauma system plan, guidelines or protocol; action(s) or in-action(s), or any situation or circumstance

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causing dissention or aggravation has occurred, it shall so inform the protesting party or parties by letter, which sets forth the reasons for the determination and appropriate remedial actions.

E. An aggravated party or parties may appeal the determination by the Committee. An appeal must be submitted to the Department of State Health Services, Health Care Quality Section no later than thirty (30) working days after the Committee's determination, at the following address:

Department of State Health Services

Health Care Quality Section

1100 W. 49th. Street

Austin, Texas 78756

The appeal shall be limited to review of the Committee's determination. The Appeal must be mailed or delivered by the appealing party or parties to DSHS, Health Care Quality Section, and must contain an affidavit that copies of the appeal have been mailed or delivered by the appealing party or parties to the Chair Person or designated representative(s). In the event the appeal is not timely in delivery to the office of Health Care Quality, the appeal will not be considered and the appealing party or parties will be so notified in writing.

F. The DSHS, Health Care Quality Section shall review the Committee's determination and the appeal in order to prove assistance and resolution to the aggravation. The Health Care Quality Section shall issue a written decision on the protest, which decision is final and cannot be appealed.