



ACAM
American College for
Advancement in Medicine

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Certified Chelation Exam Professional Conduct Policies and Procedures

Section 1. Introduction

The American College for Advancement in Medicine (ACAM) certifies medical physicians, naturopathic physicians, and nurse practitioners who have the legal capacity in their state to order and deliver intravenous therapies in various practice areas; currently the practice method for which certification is offered is for chelation therapy.

ACAM is a not-for-profit association dedicated to educating physicians and other health care professionals on the latest findings and emerging procedures in complementary, alternative and integrative (CAIM) medicine. ACAM is the voice of integrative medicine; our goals are to improve physician skills, knowledge and diagnostic procedures as they relate to complementary and alternative medicine; to support integrative medicine research; and to develop awareness of alternative methods of medical treatment.

ACAM is a private association which has developed protocols for the delivery of chelation therapy and who has trained physicians and other authorized health care practitioners in the proper delivery of this method since 1974. ACAM provides its certification examination(s) under its own auspice as the primary standard-setting body in this practice area. ACAM is not recognized by the Department of Education or the National Commission for Certifying Agencies. No warranties or representations are made as to the legal effect of holding certification or the status that will be conveyed.

ACAM has adopted a Code of Ethics generally for its membership, and in addition, for the purpose of its certification examination(s), has adopted the Grounds for Professional Discipline. The ethical principles set forth in the Grounds for Professional Discipline are binding with regarding to applicants for and holders of an ACAM certificate.

The Procedures for Upholding Professional Conduct (“Procedures”) have been adopted to uphold the Ethical Guidelines and comport with the principles of due process.

Section 2. Grounds for Discipline

The “Grounds for Professional Discipline” sets forth a statement as to unethical conduct, legal and disciplinary matters, incompetence, and impairment that may give rise to actions under these Procedures. ACAM certificate holders agree not to engage in conduct that falls within the Grounds for Professional Discipline. The Grounds for Professional Discipline are published on the ACAM Website and attached as Appendix A.

Section 2. Grounds for Discipline (cont'd)

All references to "Certificate Holder" in the Procedures shall include those individuals who have applied for certification by ACAM ("Applicant") and those Applicants whose applications have been approved by ACAM but who have not yet become certified ("Candidate").

Section 3. Professional Ethics and Disciplinary Committee

The Professional Ethics and Disciplinary Committee of ACAM (PEDC) has the authority to evaluate complaints against Applicants, Candidates, and Certificate Holders, issue decisions and impose sanctions. The PEDC is composed of no more than seven members, no more than three of whom serve on ACAM Board of Commissioners (the "Board"). At least one member of the PEDC shall be a public member. PEDC members who may have a conflict of interest in connection with a complaint will recuse themselves in accordance with ACAM policies.

Section 4. Disciplinary Process

4.1 Initiation of a Complaint

A complaint arises when it appears that an applicant, candidate, or certificate holder's conduct may have violated the Grounds for Professional Discipline (Complaint). Such information commonly comes to the attention of ACAM in the following ways:

- 4.1.1 A complaint by an individual
- 4.1.2 A report from a governmental agency or educational institution
- 4.1.3 An application for certification or recertification
- 4.1.4 A receipt of information by ACAM staff ("Staff")
- 4.1.5 A report of an examination irregularity
- 4.1.6 A notice from an Applicant, Candidate, or Certificate Holder's pursuant to a reporting requirement

4.2 Preliminary Staff Review

ACAM staff will compile all the information for each complaint and conduct a preliminary review of the matter. If staff determines, in consultation with the chair of the PEDC, that (1) the matter is frivolous or inconsequential; (2) the complaint contains unreliable or insufficient information; or (3) the matter is not within the scope of the Grounds for Professional Discipline, then no further action will be taken and the Complaint will be dismissed. Staff may, in their discretion and with the consent of the chair of the PEDC, a complainant of the dismissal of a complaint. If the information presented or reviewed by staff raises or leads to a potential issue within the scope of the Grounds for Professional Discipline, staff will proceed with further investigation of the complaint, subject to oversight by the chair of the PEDC.

4.3 Notice to Subject of Complaint and Response

Upon decision by staff to further investigate a complaint, the applicant, candidate, or certificate holder who is the subject of the complaint is sent written notice, which shall include a copy of these procedures. The subject of the investigation will have thirty (30) days from receipt of notice to submit a written response to the complaint and/or present any additional evidence in support of his or her position. Failure to respond to the notice of a complaint within the thirty (30) days will be sufficient grounds to impose sanctions. Staff may extend the period for the response, upon a timely written request containing a reasonable explanation of the need for an extension.

4.4 Investigation by Staff

Any aspect of the complaint that is potentially relevant may be investigated by staff to clarify, expand, and/or corroborate the complaint. During the course of its investigation, staff may seek assistance from legal counsel, independent investigators, and any other appropriate individuals or organizations, including a complainant, subject to oversight by the chair of the PEDC. All investigations are conducted objectively, with no prejudgment. Staff maintains confidentiality to the extent possible while conducting a thorough investigation.

4.5 Review by the PEDC

Upon completion of the investigation, staff submits the complaint, supporting documentation and its findings to the PEDC. Complaints will be considered without hearings, trial-type proceedings, witnesses, cross-examinations, appearance by the subject of the complaint, or under formal legal rules of evidence and hearsay. Decisions by the PEDC are based entirely on the written record.

If the PEDC decides there is no violation of the Grounds for Professional Discipline, the complaint is dismissed with written notice to the subject of the complaint. If the PEDC makes a determination that the Grounds for Professional Discipline were violated and imposes a sanction, the PEDC will issue its decision in writing. If the PEDC decides that a final decision is not appropriate, the PEDC may request further information and/or issue a conditional certification or recertification, or dismiss the action, as appropriate.

Section 5. Sanctions

The PEDC may impose any sanctions it deems appropriate with respect to any and all ACAM certifications that may be held, including:

- 5.1 Withholding of examination scores or results
- 5.2 Forfeiture of application or examination fees
- 5.3 Ineligibility for certification or recertification
- 5.4 Requiring sanctioned individual to apply for certification or recertification as a new applicant
- 5.5 Remedial education

Section 5. Sanctions (cont'd)

- 5.6 Written reprimand (i.e., formal expression of disapproval retained in the individual's file but not publicly announced)
- 5.7 Censure (i.e., formal expression of disapproval that is publicly announced)
- 5.8 Probation pending completion of specified conditions such as monitoring, counseling and/or remedial education
- 5.9 Suspension of certification for a designated period
- 5.10 Revocation of certification
- 5.11 Any other conditions or sanctions, in the sole discretion of the PEDC

In the event of suspension or revocation of certification, the certificate holder must surrender his or her certificate(s) to ACAM within thirty (30) days of notice of the sanction. If the certificate(s) is lost or misplaced, the certificate holder must submit a signed and sworn statement to that effect.

Section 6. Conditional Certification or Recertification

In special or extraordinary circumstances and in the event the PEDC decides that a final determination is not yet appropriate due to circumstances such as, but not limited to, related proceedings, pending litigation or state disciplinary action, the PEDC may grant a conditional certification or recertification in addition to any other actions.

Section 7. Voluntary Surrender of Certificate

A certificate holder who is the subject of a complaint may voluntarily surrender his or her certificate at any time before the PEDC renders a final decision. Upon surrender, the complaint will be dismissed without any further action by the PEDC. ACAM may communicate with any state licensing board or regulatory agency, or any other appropriate party concerning the circumstances that led to the surrender. Voluntary surrender of certification renders a certificate holder permanently ineligible for recertification and ineligible for an appeal of the matter.

Section 8. Certification or Recertification after Sanction

In order for any individual to become certified or recertified after being sanctioned, he or she must (1) successfully complete all conditions imposed by ACAM, (2) demonstrate with reasonable assurance that the conduct that gave rise to the sanction is not likely to recur in the future, and (3) be free from any impediments to certification. An individual will not be certified or recertified after revocation of his or her certification.

Section 9. Appeal Process

An individual may appeal a final decision of the PEDC to the full ACAM Board in writing within thirty (30) days of receipt of the decision. If the decision of the PEDC is not appealed within thirty (30) days, the action of the PEDC is final. Members of the Board who also serve on the PEDC will not participate in the consideration of any appeal. Board members who may have a conflict of interest with respect to the individual who submitted the appeal will recuse themselves in accordance with ACAM policies.

The Board will review the written record to determine whether the decision was inappropriate because of (1) material errors of fact that provided the basis for the decision, or (2) failure of the PEDC or staff to conform to published criteria, policies, or procedures. The Board will not conduct further investigations or reevaluate the decision as to whether there has been a violation of the Ethical Guidelines. The Board's decision affirms, modifies, remands or overrules the PEDC's decision. The Board will notify the individual of its decision in writing. Unless remanded, the decision of the Board is final and may not be appealed.

Section 10. Notice to Complainant and Publication

ACAM may notify the complainant of a determination by the staff or PEDC at their discretion. The sanctions of censure, probation, suspension, and revocation and any voluntary surrender of certificate shall be published in any manner and for any period of time deemed appropriate by ACAM, including but not limited to notification in ACAM publications and on the website. ACAM may disclose any sanction or action taken, in its sole discretion, in any way it deems appropriate or necessary to any governmental agency, employer, school, insurer, or individual.

Effective as of July 2009