



HAND THERAPY CERTIFICATION COMMISSION

Eligibility Review and Appeal Policy

The Hand Therapy Certification Commission (“HTCC”) has adopted this Eligibility Review and Appeal Policy to establish a fair process for addressing application and examination issues.

1. Eligibility.

- A. **Complete Application.** Each applicant shall truthfully complete and sign an application in the form provided by HTCC, pay the required fees, and provide additional information as requested.
- B. **Criminal Convictions.** An individual convicted of a felony directly related to public health and safety, occupational therapy, physical therapy, or hand therapy is ineligible to apply for certification or recertification for a period of three (3) years from the exhaustion of appeals, final release from confinement (if any), or the end of probation, whichever is later. Convictions of this nature include (but are not limited to) felonies involving rape, sexual abuse of a patient or child, actual or threatened use of a weapon or violence, and prohibited sale, distribution, or possession of a controlled substance. An individual who is incarcerated, or for whom incarceration is pending, as of the application deadline date is ineligible for certification or recertification.
- C. **Pending Disciplinary Action.** HTCC may place an application for certification or recertification on hold while disciplinary allegations are pending.
- D. **Reinstatement of Eligibility.** Following a period of ineligibility based on this policy or noncompliance with the Disciplinary Policy, the individual may apply for reinstatement of eligibility by demonstrating that he/she has been rehabilitated. Proof is by preponderance of the evidence. Unless adequate evidence is submitted, the individual will remain ineligible.

2. Examination.

- A. The examination is the sole and exclusive property of HTCC and may not be used in any way without the express written consent of HTCC. No one is permitted to make or keep copies, excerpts, or notes of examination materials.
- B. Individuals are prohibited from using or divulging information learned from the examination.
- C. Failure to pass the examination may not be appealed.
- D. HTCC may withhold an examination score pending resolution of an examination irregularity. HTCC may cancel an examination score if there is adequate reason to question its validity because of misconduct or other circumstances. Candidates shall cooperate in any investigations carried out by HTCC or its testing contractor.

3. Initial Review & Determination.

HTCC office staff in consultation with members of the Credentialing Committee will determine whether a candidate has met the requirements for certification or recertification. If an individual has not met the certification or recertification criteria, then he/she may be permitted another opportunity to supplement his/her application and/or have the application further reviewed. The time-frame and other conditions for further review will be provided by office staff in writing and an additional fee may apply. If the outcome of this initial review is not favorable to the individual, then the individual may proceed with an appeal as provided below in Section 4.

4. Appeals Process.

- A. A denial of eligibility for certification or recertification may be appealed. However, an individual may appeal the decision only if certification or recertification was denied for a reason other than failing the examination.
- B. Failure to comply with any HTCC deadline may not be appealed.



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- C. The individual may request an appeal within twenty-one (21) calendar days after receipt of the denial letter. After this time, the individual may not request an appeal.
- D. All appeals must be submitted in writing and sent to HTCC by traceable mail or delivery service.
- E. The appeal must specify a valid basis for the appeal.
- F. An appeal of certification or recertification eligibility denial will be forwarded to the Credentialing Committee. The Chair of the Committee will appoint two members of the Committee to review the appeal. These two members may not: (a) be the same individuals who initially reviewed the application, (b) review any matter in which their impartiality might reasonably be questioned, or (c) review any matter which presents an actual, apparent, or potential conflict of interest.
- G. HTCC office staff may file a written response to the appeal request.
- H. The Committee members will render a decision based on the written record.
- I. In order to overturn a denial of eligibility or recertification, the individual must demonstrate that the denial was incorrect because of a material error of fact or a failure to follow HTCC's published standards, policies, or procedures. Proof is by preponderance of the evidence.
- J. The decision of the Committee is final.
- K. The individual will be notified of the Committee members' decision.
- L. Only one appeal per application is permitted. If that appeal upholds the original denial, the individual must complete and submit a new application in order to seek certification at another time. In the case of a denial for failure to meet the continuing education requirements for recertification, the individual may apply to recertify by examination or may apply for inactive status.
- M. The individual is responsible for all expenses incurred by him/her related to the appeal of a denial of eligibility, and must pay an appeal administrative fee.