



Guidelines for Appearing at the Final Hearing With the Qualifications and Compliance Review Committee Of the National Board for Certification in Occupational Therapy

I. Qualifications and Compliance Review Committee

The Qualifications and Compliance Review Committee (QCRC) of the National Board for Certification in Occupational Therapy, Inc. (NBCOT®) shall have the responsibility for enforcing the Candidate/Certificant Code of Conduct and other functions as assigned by the NBCOT Board of Directors.

The QCRC is currently comprised of six (6) members of the Board of Directors. There are currently 3 OTRs, 2 COTAs, and 1 Public Member on the Committee. The members of the QCRC are appointed by the Chairperson of the NBCOT and serve no more than two (2) consecutive three-year terms.

II. Meetings of the Qualifications and Compliance Review Committee

The Qualifications and Compliance Review Committee will hold hearings at their regularly scheduled meetings throughout the year.

Hearings in person before the QCRC, may be scheduled three (3) times throughout the year. Hearings by telephone may be scheduled via conference call on a monthly basis.

The QCRC may expedite a hearing if, in its sole discretion, shortening the period is appropriate in order to protect against the possibility of harm to recipients of occupational therapy services.

III. Request to Appear for Hearing

A request for a hearing should be submitted in writing within thirty (30) days of receiving notification of the proposed determination. You may appear by telephone in a conference call setting or in person as referenced above.

You may be represented at the hearing by counsel, or any other individual of your choosing. You are solely responsible for all of your own expenses related to the hearing, including any attorney's and/or witness's related expenses. Should you cancel the hearing or phone conference call within five (5) days of the hearing date or not appear at the scheduled hearing or phone conference call, all costs associated with the preparation of the hearing shall be paid by you (for example, court reporting fees, teleconference fees, hearing manual preparation fees.)

You should provide the QCRC with any and all materials you wish to include for the hearing no less than ten (10) days prior to the hearing date.

Prior to the hearing, you will be provided with a hearing book that will contain copies of all information that will be considered by the QCRC. The hearing book should be brought to the hearing for reference during discussion with the committee.

IV. **Hearing Procedures**

The Chair of the QCRC chairs all hearings. Upon commencement of the hearing, the Chair will introduce himself/herself and those present, which would include the Qualifications and Compliance Review Committee and Staff. In addition, a court reporter is in attendance to record a transcript of the hearing.

The investigator of the complaint will present an overview or summary of the information and documents gathered in connection with, and in response to, the complaint. Members of the QCRC who require clarity on any portion of the presentation may ask their questions during the presentation.

Following the presentation, you will be given an opportunity to respond and present any additional information to the Committee. Additional comments may be made by the investigator and then also made by the subject and/or his/her representative.

Members of the QCRC are then given an opportunity to ask additional questions, and the hearing is adjourned.

V. **Final Determination by Qualifications and Compliance Review Committee**

Following the hearing, the QCRC will make a final determination in the case. The decision shall take effect immediately unless otherwise provided by the QCRC. The QCRC shall notify you and the complainant in writing of the final determination within thirty (30) days or as soon thereafter as possible.

Within thirty (30) days after the notification of the final determination, you may appeal the final determination to the NBCOT Board of Directors.

Date Adopted: March 12, 1999
Revised: February 2003
Revised: December 2004
Revised: January 2006
Revised: October 2008