



Athletic Rehabilitation Therapy
IRELAND

**PROFESSIONAL PRACTICE AND
DISCIPLINE
GUIDELINES AND PROCEDURES**

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SECTION 1: INTRODUCTION

The *A.R.T.I. Professional Practice and Discipline Guidelines and Procedures* are intended to inform Certified A.R.T.I. members, A.R.T.I. exam applicants, consumers of athletic rehabilitation therapy services and members of the public of the disciplinary guidelines and procedures.

SECTION 2: PROFESSIONAL PRACTICE AND DISCIPLINE COMMITTEE

2.1 Function and Jurisdiction of the Professional Practice and Discipline Committee

The Professional Practice and Discipline Committee (referred to herein as “PPD Committee”) is responsible for the oversight and adjudication of the *A.R.T.I. Professional Practice and Discipline Guidelines and Procedures* (referred to herein as *Procedures*) and the *A.R.T.I. Standards of Professional Practice*, which consists of the Practice Standards and the Code of Professional Responsibility. The PPD Committee has jurisdiction over all Certified Athletic Rehabilitation Therapists (referred to herein as A.R.T.C or A.R.T.C.’s) and both current and prospective A.R.T.I. exam applicants.

2.2 Powers and Duties of the PPD Committee

The PPD Committee shall be authorized and empowered to:

- 2.2.1 Review and decide cases involving alleged violations of the *A.R.T.I. Standards of Professional Practice* and impose sanctions as appropriate;
- 2.2.2 Review sanctions imposed for failure to comply with recertification requirements pursuant to Section 10;
- 2.2.3 Regularly report to the A.R.T.I. President on the operation of the PPD Committee;
- 2.2.4 Propose amendments to the *Procedures*, subject to review and approval of the A.R.T.I. President and adoption by the A.R.T.I. Board of Directors; and
- 2.2.5 Adopt such other rules or procedures as may be necessary or appropriate to govern the internal operations of the PPD Committee.

2.3 Selection and Term Limits

The A.R.T.I. Board of Directors, by a majority vote, shall appoint three (3) persons who are A.R.T.C.’s in good standing and two (2) members of the public for a three year term to the PPD Committee with the ability to serve no more than a maximum of three consecutive terms. The terms shall be staggered. The A.R.T.I. Board of Directors shall designate one (1) member to serve as the Chair of the PPD Committee. The term for the Chair will be three years with the ability to serve no more than a maximum of two consecutive terms as Chair. The Chair will only vote when there is a tie vote among the other PPD Committee members. When a vacancy on the PPD Committee occurs as a result of resignation, unavailability, or disqualification, the A.R.T.I. President shall designate a new member.

SECTION 3: INVESTIGATION

3.1 Filing a Complaint

Individuals should report possible violations of the *A.R.T.I. Standards of Professional Practice* in a written and signed statement addressed to A.R.T.I. This statement shall identify the persons alleged to be involved and the facts concerning the alleged conduct in as much detail as possible and should include any available documentation. A.R.T.I. may undertake an investigation or initiate a disciplinary proceeding without a complaint in the event it receives or discovers information indicating that a violation of the *A.R.T.I. Standards of Professional Practice* may have occurred.

3.2 Procedures for Investigation

3.2.1 Preliminary Review

A.R.T.I. shall review all complaints and information concerning a possible violation of the *A.R.T.I. Standards of Professional Practice*. In making a determination of whether to proceed, A.R.T.I. shall make such inquiry regarding the underlying facts as it deems appropriate. If A.R.T.I. chooses not to investigate a complaint, no file shall be opened and the Complainant shall be notified of A.R.T.I.'s decision.

3.2.2 Investigation

Upon receipt of allegations or discovery of information which, if true, could give rise to a violation of the *A.R.T.I. Standards of Professional Practice*, A.R.T.I. shall initiate an investigation.

3.2.2.1 Notice: Upon initiation of an investigation, A.R.T.I. shall notify the Respondent as well as the Complainant that it has decided to conduct an investigation. This notification shall be in writing and shall include a description of the allegations or information received by A.R.T.I. and may request additional information from the Respondent and/or Complainant. The identity of the Complainant will remain confidential to the extent consistent with a proper and thorough investigation. The Respondent and/or Complainant shall have fifteen (15) calendar days from the date notification is sent to respond in writing to the complaint. A.R.T.I. may extend this period up to an additional fifteen (15) calendar days upon request, provided sufficient justification for the extension is given prior to the expiration of the original deadline.

3.2.2.2 Response: Upon receipt of a response admitting the allegations in the complaint, A.R.T.I. shall refer the matter to the PPD Committee and the Respondent may request, or be requested to, enter into a Consent Agreement as outlined in Section 5. All other responses will be considered in the investigation.

3.2.3 Probable Cause Determination Procedures

Upon the completion of its investigation, A.R.T.I. shall determine if there is probable cause to believe grounds for discipline exist and shall either:

3.2.3.1 Dismiss the case due to insufficient evidence, the matter being insufficiently serious, or other reasons as may be warranted; or

3.2.3.2 Begin preparation and processing of a Charge against the Respondent in accordance with Section 4.

SECTION 4: CHARGE

4.1 Charge

A Charge letter shall be prepared by A.R.T.I. The Charge letter shall contain a statement of the factual allegations constituting the alleged violation and the standard or code allegedly violated. The Charge letter shall also include a recitation of the Respondent's rights and shall enclose a copy of these *Procedures*.

4.2 Service of the Charge Letter

The Charge letter shall be transmitted to the Respondent by certified mail or tracked courier, return receipt requested.

4.3 Response

The Respondent shall have thirty (30) business days from the date of receipt or delivery of the Charge in which to respond to the allegations, provide comments regarding appropriate sanctions, or request a hearing. A.R.T.I. may extend this period up to an additional fifteen (15) calendar days upon request, provided sufficient justification for the extension is given prior to the expiration of the original deadline. All Responses shall be in writing. Hearings are available only if the Respondent disputes the truth of the factual allegations underling the Charge.

4.4 Failure to Respond

If the Respondent fails to respond within the period provided by Section 4.3, the Respondent shall be deemed to be in default and the allegations set forth in the Charge shall be deemed admitted. In such circumstance, A.R.T.I. shall serve upon the Respondent a notice of default specifying the form of discipline (see Section 9), if any, to be imposed and informing the Respondent of his/her right of appeal.

4.5 Consent Agreement

If the Respondent does not dispute the factual allegations outlined in the Charge letter, the Respondent shall be requested to enter into a Consent Agreement as outlined in Section 5.

SECTION 5: CONSENT AGREEMENTS

5.1 Consent Agreement

At any time during a disciplinary proceeding, A.R.T.I. may execute a Consent Agreement with the Respondent. A Consent Agreement is a voluntary and legally binding agreement between A.R.T.I. and the Respondent which formally resolves a Charge or investigation without further proceedings. Consent Agreements may be initiated by either A.R.T.I. or a Respondent. Consent Agreements may be entered into only with the consent of the Respondent, the PPD Committee and the A.R.T.I. President. Any remedy, penalty or sanction that is otherwise available under these *Procedures* may be achieved by Consent Agreement, including long-term suspension and permanent revocation of certification. A Consent Agreement is not subject to review or appeal and may be modified only by a writing execute by all parties to the original Consent Agreement. A Consent Agreement may be enforced by either party in an action at law.

5.2 Offer of Consent Agreement

A.R.T.I. may propose entry into a Consent Agreement at any time during the disciplinary process, including but not limited to, the conclusion of an investigation, the time of service of a Charge letter, upon receipt of the Response to the Charge letter, or during the Hearing or Appeals process. Every Consent Agreement shall contain and describe in reasonable detail:

5.2.1 The act or practice which the Respondent is alleged to have engaged in or omitted;

5.2.2 The standard(s) or code(s) which such act, practice or omission to act is alleged to have been violated;

5.2.3 A statement that the Respondent does not contest the factual allegation(s) and violation(s) as outlined by 4.1 and/or A.R.T.I.'s findings regarding the factual allegations;

5.2.4 The proposed action to be taken and a statement that the Respondent consents to the proposed action; and

5.2.5 The Respondent's waiver of all right of appeal within A.R.T.I. or the judicial system or to otherwise challenge or contest the validity of the Consent Agreement.

5.3 Publication

Although Consent Agreements typically remain confidential, A.R.T.I. may determine that circumstances exist in which publication is warranted. The terms of each Consent Agreement will specify the degree of confidentiality accorded each agreement.

SECTION 6: CONVICTION OF A CRIME OR PROFESSIONAL DISCIPLINE

6.1 Duty to Report Criminal Conviction or Professional Suspension

An A.R.T.C. or A.R.T.I. applicant who is convicted of any crime (with the exception of misdemeanour's traffic offences or traffic ordinance violations that do not involve the use of alcohol or drugs), or who becomes subject to any professional discipline, shall notify A.R.T.I. in writing of such conviction or professional discipline within ten (10) calendar days after the date on which the Respondent is notified of the conviction or professional discipline.

6.2 Commencement of Disciplinary Proceedings Upon Notice of Conviction or Professional Discipline

Upon receiving notice that an A.R.T.C. or A.R.T.I. applicant has been convicted of a crime other than a serious crime (as defined in Section 6.4) or has been subject to professional discipline other than suspension, A.R.T.I. shall commence an investigation. If the conviction is for a serious crime or if a Respondent has received a professional suspension, A.R.T.I. shall obtain the record of conviction or proof of suspension and file a Complaint against the Respondent as provided in Section 3. If the Respondent's criminal conviction or professional suspension is either admitted or proved as provided herein, the Respondent shall have no right to a hearing before the Hearing Panel.

6.3 Conviction of Serious Crime or Professional Suspension – Immediate Suspension

Upon receiving notification of a Respondent's conviction of a serious crime or professional suspension, A.R.T.I. may, at its discretion, issue a notice to the convicted or suspended A.R.T.C. or A.R.T.I. applicant directing that the Respondent show cause why the Respondent's right to use the A.R.T.I. certification mark should not be immediately suspended or A.R.T.I. exam eligibility be denied pursuant to Section 3.

6.4 Serious Crime Defined

The term serious crime as used in these rules shall include: 1) any felony; 2) misdemeanour's related to public health, patient care, athletics or education. This includes, but is not limited to: rape; sexual or physical abuse of a child or patient; actual or threatened use of a weapon of violence; the prohibited sale or distribution of controlled substance, or its possession with the intent to distribute; or the use of the position of an athletic rehabilitation therapist to improperly influence the outcome or score of an athletic contest or event or in connection with any gambling activity; and/or an attempt, conspiracy, aiding and abetting, or solicitation of another to commit such an offense.

6.5 Proof of Conviction or Professional Discipline

Except as otherwise provided in these *Procedures*, an original or authenticated copy of a certificate or other writing from the clerk of any court of criminal jurisdiction indicating that an A.R.T.C. or applicant has been convicted of a crime in that court, or an original or authenticated copy of a letter or other writing from a governmental or industry self-regulatory authority to the effect that an A.R.T.C. or applicant has been subject to professional discipline or suspension by such authority, shall constitute conclusive proof of the existence of such conviction or such professional suspension for purposes of these disciplinary proceedings.

6.6 Definition of a Professional Suspension

A professional suspension as used herein shall mean the Respondent can no longer provide athletic rehabilitation therapy as a Certified Athletic Rehabilitation Therapist and can no longer use the A.R.T.I. certification trademark.

SECTION 7: HEARINGS

Hearings are conducted only in cases where the Respondent disputes the truthfulness of the facts underling the Charge. Hearings are conducted orally by telephone conference call or in person at an agreed meeting place at A.R.T.I.'s discretion.

7.1 Notice

A.R.T.I. shall:

- 7.1.1 Forward any Response containing a valid request for a hearing and the Charge letter to the Hearing Panel;
- 7.1.2 Schedule a hearing before the Hearing Panel; and
- 7.1.3 Send by certified mail, return receipt requested, or tracked courier, a Notice of Hearing to the Respondent.
 - 7.1.3.1 The Notice of Hearing shall include a statement of the date and time of the hearing. A.R.T.I. will endeavour to schedule the hearing on a mutually agreeable time and date.

7.2 Designation of a Hearing Panel

Upon receipt of a valid request for a hearing, the A.R.T.I. President shall appoint a Hearing Panel. The Panel shall consist of five (5) members; comprised of three (3) A.R.T.C.'s and two (2) members of the public. The A.R.T.I. President shall designate one of the A.R.T.C. members to serve as the Chair for the Hearing Panel. The Chair shall only vote in the event of a tie among the other Hearing Panel members.

7.2.1 The Hearing Panel may be established as a standing Panel.

7.2.2 The A.R.T.I. President may also appoint up to eight (8) non-voting substitute members.

7.2.3 When a vacancy of a full member occurs in the Hearing Panel as a result of resignation, unavailability, or disqualification, the A.R.T.I. President shall designate a full member from among the substitute members.

7.3 Procedure and Proof

7.3.1 The Hearing Panel shall maintain an audio-taped or written transcript of the proceedings.

7.3.2 A.R.T.I. and the Respondent or their agent(s) may make opening statements, present documents and testimony, examine and cross-examine witnesses under oath, make closing statements and present written briefs as scheduled by the Hearing Panel.

7.3.3 The Hearing Panel shall determine all matters relating to the hearing by majority vote. The hearing shall be conducted on the record. Formal rules of evidence shall not apply. Relevant evidence may be admitted.

7.4 Decision

7.4.1 Decisions by the Hearing Panel shall be in writing and shall include, as appropriate, factual findings, conclusions of law, and any sanction(s) applied.

7.4.2 Decisions by the Hearing Panel shall be transmitted to the Respondent by certified mail or tracked courier, return receipt requested.

7.5 Expenses

Each party shall bear its own travel, legal and other expenses related to the hearing.

SECTION 8: APPEALS

The Respondent may appeal a decision by the Hearing Panel, a decision rendered by the PPD Committee regarding the imposition of discipline and/or sanctions, or an entry of default by A.R.T.I. Consent Agreements and any Orders accompanying them, are not subject to appeal. All appeals are based on the record before the Hearing Panel or PPD Committee. New or additional evidence is permitted only in exceptional circumstances and in the interests of justice.

8.1 Appeals Procedure

8.1.1 An appeal must be postmarked within thirty (30) days of the Respondent's receipt of a Hearing Panel or PPD Committee decision or an A.R.T.I. entry of default through the submission of a written appeal statement

to the A.R.T.I. President. The appeal statement must set forth the grounds on which the appeal is based and the specific relief requested.

8.1.2 The A.R.T.I. President may file a written response to the appeal statement of the Respondent.

8.1.3 The Appeals Panel shall render a decision on the record without oral hearing, although written briefing may be submitted.

8.2 Designation of Appeals Panel

Upon receipt of a valid appeal statement, the A.R.T.I. Board of Directors shall select three of its members to serve on an Appeals Panel.

8.3 Decision

The decision of the Appeals Panel shall be rendered in writing. A decision by the Appeals Panel shall contain, as appropriate, factual findings, conclusions of law, and any sanction(s) applied. It shall be transmitted to the Respondent by certified mail or tracked courier, return receipt requested. The Appeals Panel decision shall be final.

The Appeals Panel may make the following decisions:

8.3.1 Affirm PPD Committee/Hearing Panel decision; or

8.3.2 Reverse the PPD Committee/Hearing Panel decision; or

8.3.3 Refer the case back to the PPD Committee/Hearing Panel for further investigation and resolution with full right of appeal; or

8.3.4 Modify the decision but not in a manner that would be more adverse to the Respondent; or

8.3.5. Vacate an entry of default by A.R.T.I.

SECTION 9: FORMS OF DISCIPLINE

A violation of the A.R.T.I. *Standards of Professional Practice* may result in one or more of the Forms of Discipline listed below. In imposing discipline, A.R.T.I. may consider any aggravating and/or mitigating circumstances, including the underlying facts, decision and discipline imposed in any previous disciplinary or criminal proceeding before the PPD Committee, Hearing Panel, Appeals Panel or any other regulatory body or court. All forms of discipline may be appealed as set forth in Section 8.

9.1 Revocation

A.R.T.I. may permanently revoke certification in an Order of Revocation. The Order of Revocation shall state clearly and with reasonable particularity the grounds for the revocation. It shall be standard procedure to publish Revocations.

9.2 Suspension

A.R.T.I. may suspend certification for a specific period of time, not to exceed five (5) years in an Order of Suspension. The Order of Suspension shall state clearly and with reasonable particularity the grounds for suspension. It shall be standard procedure to publish Suspensions.

Emergency Suspension: Should the PPD Committee and/or the A.R.T.I. President determine that there is cause to believe that a threat of immediate and irreparable injury to the health of the public exists; the PPD Committee and/or A.R.T.I. Executive

Director shall immediately place the Respondent's certification on Emergency Suspension prior to a final disciplinary decision.

9.3 Denial of Eligibility

A.R.T.I. may deny an A.R.T.C. applicant eligibility to sit for the A.R.T.I. exam either permanently or for a specified period of time in an Order of Denial. The Order of Denial shall state clearly and with reasonable particularity the grounds for the denial of eligibility.

9.4 Private Censure

A.R.T.I. may issue a Private Censure. Private Censures shall be an unpublished written reprimand from A.R.T.I. to the Respondent.

9.5 Public Censure

A.R.T.I. may issue a Public Censure. Public Censures shall be a written reprimand from A.R.T.I. to the Respondent. It shall be standard procedure to publish Public Censures.

9.6 Probation

A.R.T.I. may place a Respondent on Probation. Probation may include the setting of conditions that must be met in a specific period of time not to exceed three (3) years. A Respondent on probation is required to complete an Annual Probation Report. A report form is provided at the time the Probation is issued.

9.7 Sanctions

A.R.T.I. may issue sanctions that include but are not limited to one or more of the following:

- 9.7.1 Additional CEUs to be completed by a specified date;
- 9.7.2 Mandatory audit participation of a specified reporting period;
- 9.7.3 Educational course requirements to be completed and reported by a specified date;
- 9.7.4 Other training, treatment, and/or corrective action;
- 9.7.5 Payment of unpaid certification fee(s).
- 9.7.6 Annual reporting of a specified number of continuing education units to be submitted by a specified date.

9.8 Delinquent

A.R.T.I. may impose a delinquent status upon a Respondent for a specific period of time not to exceed six (6) months. If necessary, appropriate practice restrictions will be determined and imposed by A.R.T.I. during this period. Delinquent status is designated for Respondents who demonstrate non-compliance with administrative requirements, such as submission of fees or continuing education requirements.

SECTION 10: FAILURE TO COMPLY WITH RECERTIFICATION REQUIREMENTS

Failure to comply with fee, continuing education and emergency cardiac care requirements are direct violations of the A.R.T.I. *Standards of Professional Practice* and will have the following consequences.

10.1 Failure to Pay Fees

10.1.1 The A.R.T.C.'s certification status is Delinquent.

10.1.2 The A.R.T.C. must pay the required fee plus a late fee within a specified time, not to exceed 45 days. Failure to submit payment by the given deadline will result in Administrative Suspension.

10.1.3 A.R.T.I. may issue sanctions that include but are not limited to one or more of the sanctions listed in Section 9.6.

10.2 Failure to Comply with Continuing Education and/or Emergency Cardiac Care Requirements

10.2.1 The A.R.T.C.'s certification status is Delinquent.

10.2.2 The A.R.T.C. must submit the required continuing education within a specified time, not to exceed six (6) months. Failure to submit the required continuing education by the given deadline will result in Administrative Suspension.

10.2.3 A.R.T.I. may issue sanctions that include but are not limited to one or more of the sanctions listed in Section 9.6.

10.3 PPD Committee Review

10.3.1. An A.R.T.C. may request that the PPD Committee review and reconsider sanctions imposed under this section by filing a written request for review with A.R.T.I. within 30 days of the imposition of the sanction. This period may be extended by the A.R.T.I. President for good cause shown.

SECTION 11: IMPAIRED PRACTITIONER

With regard to its charge to protect the public, it is the policy of A.R.T.I. to sanction and/or restrict the practice of any A.R.T.C. with an impairment that prevents him or her from practising athletic rehabilitation therapy with reasonable skill.

11.1 Definitions

11.1.1 "Impaired practitioner" is defined as a person with a physical or mental condition, including deterioration through ageing, loss of motor skill, or excessive use or abuse of drugs including alcohol, that prevents one from practicing athletic rehabilitation therapy with reasonable skill and safety to patients. (*Modified from definition of American Medical Association, 1972*)

11.1.2 Types of impairments may include, but are not limited to:

11.1.2.1 Substance abuse;

11.1.2.2 Personality disorders – disruptive behaviour;

11.1.2.3 Physical impairments;

11.1.2.4 Psychological impairments;

11.1.3 "Reasonable skill" is defined as entry-level competence.

11.2 Scope of A.R.T.I. Responsibilities

11.2.5 In the absence of a governing authority, A.R.T.I. shall follow the *A.R.T.I. Professional Practice and Discipline Guidelines and Procedures* with regard to complaints or allegations of impairment.

11.3 Reporting Guidelines

11.3.1 Early intervention for the impaired practitioner may enhance recovery

and will protect the safety of the public. Thus, reporting should occur when there is a reasonable suspicion of impairment.

11.3.2 Decreased clinical judgment, inappropriate behaviour, or diminished psychomotor skills are the hallmarks of impairment and generally should lead to reporting.

11.3.3 Strict adherence to the definition of impaired practitioner should be followed, however, illnesses, disabilities or other conditions that do not hamper the practitioner's ability to competently practice as an athletic rehabilitation therapist should not be reported.

11.3.4 Reporting of an impaired practitioner may occur through:

11.3.4.1 Self-reporting;

11.3.4.2 Reporting from another practitioner;

11.3.4.3 Reporting from a patient;

11.3.4.4 Reporting from other sources with personal knowledge or reasonable suspicion of impairment.

11.3.5 Upon the development of a reasonable suspicion of impairment, complaints or allegations of impairment should be directed or sent promptly to the governing authority, with a copy to A.R.T.I. Where there is no governing authority, complaints or allegations of impairment should be directed or sent promptly to A.R.T.I.

11.4 Purpose and Application of Sanctions and Restrictions

11.4.1 Protect the public

11.4.2 In response to action by an appropriate governing authority or on its own initiative, A.R.T.I. shall impose those sanctions or restrictions necessary to protect the public.

11.4.3 A.R.T.I. sanctions and/or restrictions shall be clearly associated with the practitioner's behaviour demonstrating incompetence or the potential for endangerment to the public.

11.4.4 Protect the individual

11.4.5 Sanctions and/or restrictions shall not unduly restrict/penalize an individual in areas of practice where he/she is safely and competently performing duties or providing a service.

11.4.6 Sanctions and/or restrictions shall afford the practitioner the opportunity for rehabilitation or retraining if possible or practicable. The practitioner may be required to participate in a recovery program related to the impairment. This program may be a program established by the employer, state, or private sector but must be one that is approved by A.R.T.I.

11.4.6.1 Where a sanction includes mandatory participation in a recovery program, it is the responsibility of the impaired practitioner to enroll in the recovery program.

11.4.6.1.1 Recovery or treatment programs must include:

11.4.6.1.1.1 A monitoring system to track progress of the impaired practitioner.

11.4.6.1.1.2 The submission of reports of compliance and progress to the governing authority.

11.4.6.1.2 A.R.T.I. may require evidence or verification that the practitioner has completed a treatment program related to the impairment.

11.4.7 Following completion of any program or treatment requirements and

demonstration of competence to practice, A.R.T.I. will adjust the certification status appropriately.

11.5 Professional Review and Monitoring

11.5.1 Upon receipt of a report or decision of impairment, A.R.T.I. will follow the A.R.T.I. *Professional Practice and Discipline Guidelines and Procedures* to determine the appropriate sanctions or restrictions that may be imposed upon the practitioner.

11.5.2 A.R.T.I. shall maintain confidentiality regarding impaired practitioners consistent with the law, its ability to investigate the reported alleged impairment, and public safety.

11.5.3 Restrictions or sanctions must be based on facts related to the impairment. Evidence of the impairment must be based on the absence of a level of competence to practice athletic rehabilitation therapy in a manner that protects the safety of the public.

11.5.3.1 If the A.R.T.C. is unable to practice competently and safely, practice restrictions must be established that will enable the A.R.T.C. to do so or the A.R.T.C.'s A.R.T.I. certification will be suspended or revoked. Appropriate restrictions may limit the practice setting, clientèle, or other job duties that may be performed by the athletic rehabilitation therapist.

11.5.4 Where the governing authority has ordered specific testing of the practitioner such as physical examination, psychological examination, and/or drug testing, A.R.T.I. may require the submission of copies of any reports generated from the examinations/testing or confirmation from the governing authority as to the results.

11.5.5 Once it is identified that testing of the practitioner is needed, it is the responsibility of the practitioner to obtain the tests required.

11.5.6 A.R.T.I. shall establish a system for monitoring the impaired practitioner to ensure the practitioner is in compliance with sanctions or restrictions.

11.5.6.1 The monitoring system may be overseen by the employer or A.R.T.I.; however, the practitioner is required to report any changes in status to A.R.T.I.

11.5.6.2. Compliance with the monitoring system shall be a condition of A.R.T.I. Certification.

SECTION 12: REQUIRED ACTION AFTER REVOCATION OR SUSPENSION

After the entry of any disciplinary order that prohibits a Respondent from using the A.R.T.I. certification mark (see Section 9), the Respondent shall promptly terminate any and all use of the A.R.T.I. certification mark and in particular, shall not use the A.R.T.I. certification mark in any advertising material, announcement, letterhead or business card. The Respondent is required to return his/her A.R.T.I. certification card to A.R.T.I. within ten (10) business days of receipt of the order via traceable mail. Once the use of the A.R.T.I. certification mark has been terminated the Respondent may not:

12.1 Represent him/herself to the public as a practising Certified Athletic Rehabilitation Therapist or use the certification mark “A.R.T.C.” following his/her name; or

12.2 Serve as an examiner or item writer for the A.R.T.I. Exam.

SECTION 13: STATUS DEFINITIONS

13.1 Active

Certification is in good standing. Individuals may practice as authorized by A.R.T.I.

13.2 Administrative

Certification is subject to a pending investigation and/or review. There is no immediate public risk. The Respondent shall be considered a Certified Athletic Rehabilitation Therapist or applicant (if all other requirements have been met) in good standing.

13.3 Delinquent

Certification is not in good standing due to lack of administrative compliance through non-payment of A.R.T.I. certification fees and/or failure to complete A.R.T.I. continuing education requirements. There is no immediate public risk. Individuals may practice as authorized by A.R.T.I. An A.R.T.C. may remain in “delinquent” status for a maximum of six months. If the A.R.T.C. fails to pay his/her A.R.T.I. certification fees and/or fails to complete his/her continuing education requirements within that time, the A.R.T.C.’s certification is placed in “Administrative Suspension.”

13.4 Resigned

Certification is voluntarily resigned without intent to return to practice. A.R.T.C.’s with a “Resigned” status may not represent themselves as Certified Athletic Rehabilitation Therapists or use the A.R.T.C. certification mark.

13.5 Inactive

Certification is voluntarily placed in escrow. A.R.T.C.’s in an “Inactive” status may not represent themselves as Certified Athletic Rehabilitation Therapists or use the A.R.T.C. certification mark.

13.6 Administrative Suspension

Certification is involuntarily forfeited due to non-compliance with A.R.T.I. certification fee and/or continuing education requirements. Respondents with an “Administrative Suspension” status may not represent themselves as Certified Athletic Rehabilitation Therapists or use the A.R.T.I. certification mark.

13.7 Disciplinary Suspension

Certification is not in good standing as a result of the imposition of a disciplinary sanction or due to potential public risk. Respondents with a “Disciplinary Suspension” status may not represent themselves as a Certified Athletic Rehabilitation Therapist or use the A.R.T.I. certification mark. Disciplinary suspensions may last for a period of up to five years.

13.8 Emergency Suspension

Certification is not in good standing as a result of the PPD Committee and/or the A.R.T.I. President's decision that there is cause to believe that a threat of immediate and irreparable injury to the health of the public exists, the PPD Committee and/or A.R.T.I. President shall immediately place the Respondent's certification on Emergency Suspension prior to a final disciplinary decision. Respondents with an "Emergency Suspension" status may not represent themselves as a Certified Athletic Rehabilitation Therapist or use the A.R.T.I. certification mark.

13.9 Revoked

Certification has been permanently terminated due to immediate and definite public risk or a serious and/or continuing violation of the A.R.T.I. *Standards of Professional Practice*. Respondents with a "Revoked" status may not represent themselves as a Certified Athletic Rehabilitation Therapist or use the A.R.T.I. certification mark.

SECTION 14: REINSTATEMENT

14. Reinstatement After Administrative Suspension or Inactive

The requirements for a successful return to Active status are based on the total number of years the individual has been Inactive. Inactive means that one's current A.R.T.I. Certification status is Inactive, Resigned or Administrative Suspension. There are three options for certification reinstatement based on the duration of inactivity:

Option1: If Inactive for less than two Continuing Education periods:

- Complete the appropriate number of Continuing Education Units by the end of the current reporting period (dependant on the individual's reporting cycle)
- Provide proof of current certification in emergency cardiac care.

Option2: If Inactive for less than Continuing Education periods:

- Successfully pass the A.R.T.I. Exam.
- Provide proof of current certification in emergency cardiac care.

Option 3: If Inactive for two or more Continuing Education periods:

- Successfully pass the A.R.T.I. Exam
- Provide proof of current certification in emergency cardiac care.

14.2 Reinstatement After Disciplinary Suspension

14.2.1 Suspensions of One Year or Less

Unless otherwise provided by A.R.T.I. in its Order of Suspension, a Respondent who has been suspended for a period of one (1) year or less shall be automatically reinstated upon the expiration of the period of suspension, provided the Respondent files with A.R.T.I. within thirty (30) calendar days of the expiration of the period of suspension a notarised affidavit stating that the suspended Respondent has fully complied with the Order of Suspension and any conditions it imposed, and is in full compliance with the A.R.T.I. *Standards of Professional Practice*, unless such condition has been waived by A.R.T.I. at its discretion. A.R.T.I. may also require appropriate documentation as to the fulfilment of conditions imposed by the Order of Suspension.

14.2.2 Suspensions of Longer Than One Year

A Respondent who has been suspended for a period of longer than one (1) year must petition the PPD Committee for reinstatement within six months of the expiration of the period of suspension. Failure to do so will result in involuntary forfeiture. Before reinstatement is considered, the Respondent must meet all administrative requirements for recertification and pay certification fees (see Section 13.3). The reinstatement petition must prove to A.R.T.I.'s satisfaction that the Respondent has complied with all applicable disciplinary orders and provisions of these *Procedures*.

14.2.2.1 Investigation

Immediately upon receipt of a petition for reinstatement, A.R.T.I. will initiate an investigation. The petitioner shall cooperate in any such investigation. Once the investigation is concluded, a report of the investigation shall be submitted to the PPD Committee. The report shall contain the results of the investigation, information regarding the petitioner's past disciplinary record, and any recommendation regarding reinstatement.

14.2.2.2 Successive Petitions

If a Respondent is denied reinstatement, the PPD Committee shall set a date upon which the Respondent may file a second petition for reinstatement. If a second petition is denied, the individual's right to use the A.R.T.C. certification mark shall be revoked unless the PPD Committee determines that extenuating circumstances exist to permit a third and final petition.

14.3 Certification Fee

Respondents or A.R.T.C.'s who are reinstated will be assessed the cost of all certification fees accumulated while not in good standing.

SECTION 15: CONFIDENTIALITY OF PROCEEDINGS

15.1 Confidentiality

Except as otherwise provided in these *Procedures*, all proceedings conducted pursuant to these *Procedures* shall be confidential and the records of the PPD Committee, Hearing Panel, Appeals Panel, A.R.T.I. Legal Counsel and A.R.T.I. staff shall remain confidential and shall not be made public.

15.2 Exceptions to Confidentiality

The subject matter and status of proceedings conducted pursuant to these *Procedures* may be disclosed if

- 15.2.1 The proceeding is predicated on criminal conviction or professional discipline as defined herein; or
- 15.2.2 The Respondent has waived confidentiality; or
- 15.2.3 Such disclosure is required by legal process of a court of law or other governmental body or agency having appropriate jurisdiction; or
- 15.2.4 The proceeding involves a consumer or consumers of athletic rehabilitation therapy services, wherein A.R.T.I. may contact the consumer(s)

and/or the Respondent's current and/or former employer(s) to request documents relevant to the proceeding; or

15. The Respondent receives a form of discipline that is published. In such cases, all athletic rehabilitation therapist state regulatory bodies shall be notified and an announcement included in one or more publications of interest to persons engaged in, or otherwise interested in, the profession of athletic rehabilitation therapy. A.R.T.I. May also disclose its final decision to those it deems appropriate, including, but not limited to, persons inquiring about the status of a Respondent's certification, employers and the general public.

SECTION 16: GENERAL PROVISIONS

16.1 Definitions

16.1.1 Respondent

For the purpose of these *Procedures*, "Respondent" shall mean an Athletic Rehabilitation Therapist A.R.T.I. applicant or A.R.T.I. potential applicant who is the subject of a disciplinary complaint or proceeding.

16.1.2 Complainant

For the purpose of these *Procedures*, "Complainant" shall be any individual or organization who provides A.R.T.I. with information or allegations indicating that a violation of the A.R.T.I. *Standards of Professional Practice* may have occurred.