

## **AMERICAN BOARD OF WOUND MANAGEMENT**

### **DISCIPLINARY ACTIONS BASED ON IRREGULAR BEHAVIOR; FRAUDULENT CREDENTIALS; LEGAL, REGULATORY OR CREDENTIALING ACTION; OR DOCUMENTED ALLEGATIONS OF MISCONDUCT**

#### **DISCIPLINARY POLICY**

##### **A. Irregular Behavior**

###### **1. During an Examination**

The performance of all candidates taking an examination will be monitored. Test center personnel will notify the American Board of Wound Management (“ABWM”) office immediately by phone of any candidate who appears to give or receive assistance, or otherwise engage in dishonest or other irregular behavior during the examination, and will follow up with a written report of the incident.

Any candidate who engages in, or assists another individual to engage in, cheating or other dishonest or irregular behavior, or otherwise violates the security of an examination, may be subject to disciplinary action, including denial or revocation of eligibility or certification.

###### **2. After an Examination**

Any candidate or certificant who removes or attempts to remove materials from the test center, or reproduces, distributes, displays or otherwise misuses a test question or any part of a test question from an examination, or assists another individual to do any of the above, may be subject to disciplinary action, including denial or revocation of eligibility or certification. Any individual who engages in such improper behavior also may be subject to legal action.

###### **3. At Any Time**

Any candidate or certificant who obtains, attempts to obtain, or assists another person to obtain or attempt to obtain, eligibility or certification by deceptive means, including but not limited to submitting or assisting another person to submit to the ABWM any document which contains a material misstatement of fact or omits to state a material fact, may be subject to disciplinary action, including denial or revocation of eligibility or certification.

###### **4. Application Following Disciplinary Action Based on Irregular Behavior**

An individual whose eligibility or certification has been denied or revoked by the ABWM for a specified time period based on irregular behavior may

reapply to the ABWM following expiration of such time period. Action on all applications following denial or revocation shall be at the sole discretion of the ABWM.

## **B. Fraudulent Credentials**

### **1. Use of Fraudulent Credentials**

Any candidate or certificant who manufactures, modifies, reproduces, distributes or uses a fraudulent or otherwise unauthorized ABWM certificate or other credential, or assists another individual to do any of the above, may be subject to disciplinary action, including denial or revocation of eligibility or certification. Any individual who engages in such irregular behavior also may be subject to legal action.

### **2. Application Following Disciplinary Action Based on Fraudulent Credentials**

An individual whose eligibility, certification, recertification or proficiency recognition has been denied or revoked by the ABWM for a specified time period based on fraudulent credentials may reapply to the ABWM following expiration of such time period. Action on all applications following denial or revocation shall be at the sole discretion of the ABWM.

## **C. Legal, Regulatory or Credentialing Action, or Documented Allegations of Misconduct**

### **1. Automatic Denial or Revocation**

The ABWM will automatically deny or revoke an individual's eligibility or certification in the following circumstances:

- Adjudication by a court that the individual is mentally incompetent.
- Conviction of or pleading no contest to a felony that is, in the view of the ABWM, related to health care practice.
- Loss of the individual's license to practice due to behavior that is, in the view of the ABWM, related to health care practice.

## **2. Discretionary Denial, Revocation or Suspension**

The ABWM may, at its discretion, deny, suspend or revoke an individual's eligibility or certification in any of the following circumstances.

- Conviction of or pleading no contest to a felony.
- Loss of the individual's license to practice.
- Documented allegations of gross incompetence or unethical conduct.

## **3. Application Following Disciplinary Action Based on Legal, Regulatory, or Credentialing Action**

An individual whose eligibility or certification has been denied or revoked by the ABWM based on a legal, regulatory or credentialing action, or on documented allegations of misconduct, may reapply to the ABWM when the situation underlying the ABWM's decision has been remedied or the term of the disciplinary action has ended. If the decision was based on conviction of or pleading no contest to a felony, the individual may not apply until all sentences have been served and, unless the ABWM by a two-thirds vote of all directors grants an exception, until all judgments have been satisfied. Action on all applications following denial or revocation shall be at the sole discretion of the ABWM.

### **DISCIPLINARY PROCEDURES**

1. If it comes to the attention of any Director or staff member of the ABWM that an individual may have engaged in irregular behavior; may have manufactured or utilized fraudulent ABWM credentials; or was the subject of a legal, regulatory or credentialing action or documented allegations of misconduct; the Director or staff member shall promptly notify the Executive Director of such allegations.
2. The Executive Director shall make a reasonable effort to investigate the facts of the matter. If, following such investigation, the Executive Director determines that there is a reasonable basis to believe that the allegations are true, the individual shall be notified in writing about the allegations and about possible disciplinary and/or legal actions which may be taken by the ABWM. The individual shall be informed that he or she has the right, within 30 days, to submit a written response to the allegations and/or to request a telephone interview with, or a personal appearance before, an ad hoc Disciplinary Review Panel.
3. The Disciplinary Review Panel shall be appointed by the President of the ABWM and shall consist of three directors; no more than one shall be a member of the Executive Committee.

4. If the candidate or certificant requests a telephone interview with, or a personal appearance before, the Disciplinary Review Panel, he or she shall be given 30 days written notice of the place, date and time of the interview. During the interview or appearance, the individual shall be given a full opportunity to discuss, explain, and attempt to refute the allegations made against him or her.
5. The Disciplinary Review Panel shall review all of the documentation submitted concerning the matter. The Panel also may, at its discretion, request or receive, and review, additional information. The foregoing shall constitute the Disciplinary Review Record. A copy of the Record shall be forwarded to the individual at least ten calendar days before the meeting of the Panel.

Based on its review of the Disciplinary Review Record, and the individual's statement during the interview or appearance, if any, the Disciplinary Review Panel shall, at its discretion, determine whether one or more of the following disciplinary actions is appropriate under the circumstances:

- a. order a candidate to retake an examination at a time and place to be determined by the Disciplinary Review Panel;
- b. refuse to release the score of a candidate and, thereby, deny his or her current application for certification;
- c. require a candidate to wait a specified period of time before reapplying to take any ABWM examination;
- d. revoke a candidate's eligibility to sit for future examinations;
- e. revoke a certificant's certification; or
- f. take a combination of any of the above actions or such other action that the Disciplinary Review Panel may deem appropriate in the particular circumstances before it.

In addition, in appropriate circumstances, the Disciplinary Review Panel may recommend to the ABWM Board of Directors that legal action be taken.

5. Disciplinary actions are subject to appeal pursuant to the ABWM ***Appeal Process for Adverse Decisions Affecting Certification.***