



CERTIFICATION COMMISSION FOR HEALTHCARE INTERPRETERS

Disciplinary Policy

for Candidates and Certification Holders

Maintaining the integrity of CCHI's CORE CERTIFICATION HEALTHCARE INTERPRETER™ ("CoreCHI™") and CERTIFIED HEALTHCARE INTERPRETER™ ("CHI™") credentials are of the utmost importance to the Certification Commission for Healthcare Interpreters ("CCHI" or "Commission") as well as all CoreCHI™ and CHI™ recipients. Thus, CCHI has adopted this Disciplinary Policy to specify the activities and behavior to articulate standards of conduct required for candidates and certificants.

The Disciplinary Policy is an essential component of CCHI's certification program and exemplifies the commitment of CCHI, CORE CERTIFICATION HEALTHCARE INTERPRETER™ and CERTIFIED HEALTHCARE INTERPRETER™ certificants to patients, the public, and to the profession through competent and professional practice of healthcare interpreting. CCHI is pleased to adopt these standards and welcomes comment and inquiry from healthcare interpreters and the public.

This policy's goal is to ensure that CCHI's certification credentials maintain the integrity, highest value and recognition. It is important that individuals who do not meet the integrity and ethics required of the profession do not undermine the important achievements of those who have achieved CCHI CoreCHI™ and CHI™ certification.

CCHI reserves the right to take disciplinary action against an individual submitting an application to participate in CCHI's certification program or granted a CoreCHI™ or CHI™ certification credential. This may include, but is not limited to, the assignment of remedial education, non-public reprimand and warning, public letter of censure, suspension, and/or revocation of the CoreCHI™ or CHI™ certification or eligibility for certification, or other disciplinary action as determined in CCHI's discretion (see *Sanctions*, below).

Prohibited Actions and Behavior

To be eligible to participate in CCHI's certification program, an individual must continuously comply with all of CCHI's standards, policies, and procedures as set forth in the Disciplinary Policy and elsewhere.

Certifying or certified healthcare interpreters are prohibited from:

- Cheating on a CCHI examination.
- Failing to pay required fees or to submit requested information.
- Making false, knowingly misleading, or deceptive statements, or providing false, knowingly misleading, or deceptive information in connection with an application for CCHI's examinations or certification renewal.
- Violating NCIHC's National Code of Ethics for Healthcare Interpreters and Standard of Practice, or other regulations or procedures established for interpreters practicing in healthcare environments.
- Violating any CCHI's examination policies, including but not limited to, disclosing, reproducing, or distributing examination content or otherwise compromising the security of a CCHI examination.

- Possessing or using unauthorized material during a CCHI examination.
- Misrepresenting professional credentials (i.e., education, training, experience, level of competence, skills, exam scores, and/or certification status).
- Misusing CCHI marks or credentials.
- Advertising false, misleading, or deceptive information.
- Exceeding the scope of practice as defined by law or certification.
- Obtaining or attempting to obtain compensation or reimbursement by fraud or deceit.
- Engaging in negligent billing or record keeping.
- Failing to maintain patient/practitioner confidentiality.
- Conviction of a felony related to the performance of one's duties as a healthcare interpreter (See Criminal Convictions, below).
- Conviction of any violation of a federal, state, or local statute, regulation, or ordinance related to the performance of one's duties as a healthcare interpreter (See Criminal Convictions, below).
- Failing to safely and competently deliver the professional services for which the individual has been credentialed by CCHI or failing to uphold accepted standards of professional practice.
- Practicing while impaired due to substance abuse.
- Violating appropriate boundaries between the healthcare interpreter and the patient.
- Misrepresenting the CoreCHI™ certification as documenting or assessing an individual's oral interpreting skills or abilities or language proficiency.
- Assisting another in prohibited conduct.
- Failing to report known or perceived prohibited behavior or activities by another individual.
- Failing to notify CCHI in a timely manner of any adverse regulatory, credentialing, or judicial action.

Pending Actions

Applicants, candidates, CoreCHI™ and CHI™ certificants must notify CCHI of any inquiry, indictment or charge pending against them before a state or federal regulatory agency, professional certification organization or judicial body relating to public health or healthcare interpreting within thirty (30) days of such charge and shall provide documentation of the resolution of such charge within thirty (30) days of resolution.

Criminal Convictions and Adverse Actions

Applicants, candidates, CoreCHI™ and CHI™ certificants must notify CCHI of any adverse regulatory, credentialing, or judicial action against them with thirty (30) days of the action, whether such adverse action is by decision, consent order, stipulation, or agreement. An individual convicted of a felony

related to the performance of one's duties or fitness as a healthcare interpreter shall be subject to revocation of certification and be ineligible to apply for certification or certification renewal for a minimum period of three (3) years from the conviction or completion of sentence (if any), whichever is later. An individual convicted a misdemeanor of this nature may be subject to revocation of certification and may be deemed ineligible to apply for certification or certification renewal for a period of up to two (2) years from the conviction or completion of sentence (if any), whichever is later. Convictions of this nature include but are not limited to felonies involving crimes of a sexual nature, actual or threatened use of a weapon or violence, prohibited use, sale, distribution or possession of a controlled substance, and fraud. A CoreCHI™ or CHI™ certificant who is incarcerated for any reason, or for whom incarceration is pending shall be ineligible to take CCHI examinations, to receive the CoreCHI™ or CHI™ certification, or to renew it unless and until eligibility is reinstated.

Filing a Complaint

Any CoreCHI™ or CHI™ certificants or applicant for such certification must report to CCHI any known violation of the Disciplinary Policy by a CoreCHI™ or CHI™ certificant, and CCHI encourages others with such information to inform CCHI. Information about alleged violations is first referred to CCHI's staff and then to the Commissioners, if staff determines that review is warranted. Any individual may file a complaint or report possible violations to CCHI, including interpreters, patients, healthcare providers, and anyone else with knowledge of a possible violation.

To file a complaint, an individual should send an email addressed to CCHI's staff to complaint@cchicertification.org. The email must include the individual's name, address, email and telephone number and a description of the alleged violation in as much detail and specificity as possible, with available documentation. The statement should include information about others who may have knowledge of the facts and circumstances concerning the alleged conduct. Supplementation relating to the content or form of the information may be requested by CCHI staff.

The Commission may also initiate a review of an individual's actions or behavior without the filing of a formal complaint.

Process of Evaluating Violations

Upon receiving a formal complaint or becoming aware of information about a possible prohibited action or behavior by a CCHI applicant, candidate or certificant, CCHI staff will review the allegation and, if necessary, communicate back with complainant to clarify or request more information as needed.

If, based on the preliminary review of the complaint, the allegation does not indicate a violation of CCHI's Disciplinary Policy (e.g., because it relates to matters outside the scope of this policy or the conduct does not rise to the level of a violation), the CCHI staff may administratively close the complaint without further action. The complainant will be notified of this closure. In this instance, the alleged respondent is not notified. The complainant has the right to appeal the staff's decision to the Commissioners in writing by addressing their appeal to CCHI Chair and sending it to appeal@cchicertification.org. In that event, CCHI's Commissioners will conduct an independent review of the file and determine whether to uphold the dismissal of the complaint or return the matter to staff for initiation of a full disciplinary proceeding.

If CCHI staff determines that the allegation presents evidence of a violation of the Disciplinary Policy, CCHI staff shall inform the subject of the complaint of the alleged violation via email and certified mail, and allow the individual thirty (30) calendar days from the date of the notice letter to respond in writing (either via email or certified mail or both) to the allegations. The individual should provide a full statement of relevant facts and verifiable supporting documentation. If the individual does not respond

to the notice or dispute the allegations within thirty (30) days, the Commission may render a decision on the evidence before it and apply appropriate sanctions.

Upon receiving the individual's response and making any further investigation as warranted by the circumstances, the CCHI staff shall make a determination of the disciplinary action, if any, that is warranted. As needed, the staff shall consult with CCHI's Chair, Vice Chair, and legal counsel. Staff will report outcomes regarding complaints and violations to the full Commission via email within 10 business days of the resolution or during the next Commissioners meeting, whichever comes first.

Responsibility for Notifying CCHI of Current Contact Information

CCHI applicants, candidates, and certificants are solely responsible for ensuring that their CCHI account includes their current mailing and email address. If the individual does not receive notice(s) from CCHI related to disciplinary proceedings, actions, or appeals due to his or her failure to notify CCHI in a timely manner of a change of address, that lack of notification shall not be considered as the basis for an appeal or reconsideration of any decision in the matter.

Sanctions

Sanctions for violation of this Disciplinary Policy or any other CCHI standard, policy or procedure may include one or more of the following, in CCHI's discretion:

- Assignment of remedial education;
- Non-public reprimand and warning;
- Public letter of censure;
- Denial or suspension of eligibility;
- Revocation of certification;
- Non-renewal of certification;
- Suspension of certification; or
- Other corrective or disciplinary action, as determined in CCHI's discretion.

CCHI may, as deemed appropriate, report sanctions other than assignment of remedial education or a non-public reprimand and warning, and the underlying facts of the violation, to interested parties, including without limitation to individuals seeking information about the individual's certification status, as solely determined by CCHI. CCHI also may publish the information on CCHI's web site. If the sanction resulted from a violation reported to CCHI in a disciplinary complaint, CCHI will notify the complainant that it has completed its disciplinary proceeding and, if any public sanction has imposed, of the disciplinary action taken. Notifications to the complainant or third parties will not occur until either the time for an appeal has expired or a decision on an appeal is made.

Notice of the disposition of the disciplinary proceeding and of any disciplinary sanction will be sent to the subject of the disciplinary proceeding by email and certified mail. If a disciplinary sanction is imposed, the notice will include an explanation of the basis for the decision and a statement of any appeal rights.

Appeal Process

All respondents have the right to appeal an adverse decision resulting in a publicly reportable sanction regarding an alleged violation of CCHI disciplinary rules. Such appeals must be submitted in writing (via email to appeal@cchicertification.org or certified mail to CCHI's headquarters) within 30 calendar days of the date of the determination notice. If no request for appeal is made within 30 calendar days, the staff decision will become final.

The Commission shall review the appeal within 60 days of receipt of an appeal. Appeals must include a signed statement from the subject of the disciplinary action containing their full statement of the facts relevant to the alleged violation and the specific basis for appeal, as well as any verifiable supporting documentation that the individual wishes to be considered by the Commission, including any available and relevant documentary evidence from pertinent regulatory, credentialing, or judicial proceedings. Appeals will be reviewed either by the entire Commission or be delegated by the Commission to a Disciplinary Committee appointed by the Commissioners. The appeal will be determined based on the record in the matter and the additional information provided by the appellant, as well as any other pertinent information provided by staff or that is obtained by the Commission or Disciplinary Committee. The Commission or Disciplinary Committee may affirm, modify, or reverse the adverse decision made by staff. The decision on appeal is final and binding. Notification of the decision on appeal and an explanation of the basis for the decision will be sent to the appellant by email and by certified mail.

Reinstatement

If eligibility or certification has been denied or revoked, eligibility or certification may be reconsidered on the following basis:

- In the event of a felony conviction related to the performance of one's duties or fitness as a healthcare interpreter, no earlier than three (3) years from the conviction or completion of sentence (if any), whichever is later; CCHI reserves the right to extend the revocation period in egregious cases;
- In any other event, no earlier than two (2) years from the final decision of ineligibility or revocation.

In addition to other facts required by CCHI, an individual seeking reinstatement of eligibility or certification must fully set forth the circumstances of the decision denying eligibility or revoking certification, as well as all relevant facts and circumstances since the decision that are relevant to the application for reinstatement. When eligibility has been denied because of felony conviction, the individual bears the burden of demonstrating that the individual has been rehabilitated and does not pose a danger to others.

Application for reinstatement, relevant documentation required of all applicants/certificants, and all relevant evidence supporting the reinstatement request shall be submitted to the CCHI staff, who shall determine whether the reinstatement shall be granted. All documentation should be submitted in writing and in electronic format only. Unless and until CCHI makes a decision to reestablish eligibility for reinstatement or certification, the individual will remain ineligible for reinstatement. The applicant will be notified of the decision within 60 days of receipt by CCHI of all the required documentation from the applicant. The decision of the CCHI staff may be appealed to the entire Commission.

Summary Procedure

Whenever the CCHI staff determines that there is cause to believe that a threat of immediate and irreparable injury to the health of the public exists, the staff shall forward the allegations to the Chair and/or Vice Chair. The Chair or Vice Chair shall review the matter immediately, and provide telephonic or other expedited notice and review procedures to the individual who allegedly committed a violation. Following such notice and opportunity by the individual to respond, if the Chair or Vice Chair determines that there is reasonable cause to believe a threat of immediate and irreparable injury to the public exists, an application or certification may be suspended for up to ninety (90) days pending a full review as provided herein.

Release of Information

The individual candidate or certificant agrees that CCHI and its officers, directors, committee members, employees, agents and others may communicate any and all information relating to his or her CCHI application and certification and review thereof, including but not limited to pendency or outcome of disciplinary proceedings, to state and federal authorities, licensing boards, employers, other certificants, and others.

Waiver

As a condition of consideration for or holding of any CCHI credential, the individual candidate or certificant releases, discharges, and holds harmless CCHI, its officers, directors, employees, committee members, panel members and agents, and any other persons for any action taken pursuant to the standards, policies and procedures of CCHI from any and all liability, including but not limited to liability arising out of:

- the furnishing or inspection of documents, records and other information; and
- any investigation and review of application or certification made by CCHI.