



Certification Determination Appeal Policy **5/13/2022**

An organization's certification application may be denied for the following reasons:

- (1) Failure to comply with designated submission or response time frames, including but not limited to those allotted for each phase of the certification process;
- (2) Application inactivity for a period of six (6) months or more;
- (3) Failure to comply with NARR Standards or Code of Ethics;
- (4) Failure to comply with other key requirements, as indicated by the WV Alliance of Recovery Residences;
- (5) Falsification of any information submitted to or shared with the WV Alliance of Recovery Residences on behalf of an organization;
- (6) Any indication of immediate threats to resident health or safety;
- (7) General refusal to comply with requirements as outlined by the WV Alliance of Recovery Residences;
- (8) General lack of preparedness in the certification process, warranting the organization unready to be certified;
- (9) Other issues, as determined by WVARR staff.

The applicant will be notified of the denial of their certification application by certified mail. The denial notification will include an overview of the reasons for the denial, and any standards or Ethics codes that the organization has failed to meet.

If an organization's application for certification is denied for any reason, that organization has the right to request an informal reconsideration with the WVARR Standards and Ethics Committee within **30 days of the denial**. Any requests for reconsideration must be made in writing and sent via certified mail to:

WV Alliance of Recovery Residences
Attn: Standards & Ethics Committee
1116 Smith St. Charleston, WV 25301

All requests for reconsideration must be postmarked within 30 days of the date on the organization's denial letter and provide a justification for requesting the reconsideration, including an item-by-item response to the indicated reasons for denial. The Standards & Ethics Committee will review each request and corresponding documentation and determine whether the requested reconsideration is warranted.

The Standards & Ethics Committee may grant or offer the organization an opportunity to speak in front of the committee at an informal review. In this instance, the operator will be notified of the date of the review via certified letter and email. The letter will include the following directions:

- a. No more than two (2) additional participants will be permitted to attend the hearing with the operator or director.
- b. Only those formally and currently affiliated with the organization may attend the hearing.
- c. The operator must inform WVARR of who, if anyone, will attend the hearing with them, at least 5 days prior to the hearing, specifically including any legal representation that will attend.
- d. A statement that the hearing is not a legal proceeding but is rather an informal discussion.
- e. Both WVARR and the organization requesting reconsideration will indicate a designated spokesperson for interaction during the hearing.

After the appeal hearing, the chair of the Standards & Ethics Committee will send a letter to the operator via certified mail outlining the Committee's decision to either uphold the denial or uphold the appeal. A decision to uphold the appeal will cause the application to be reopened, with the operator being granted 30 days to formally submit required documentation of standards to WVARR as part of the reopened certification process. An operator's failure to provide the required documentation within 30 days will result in an automatic denial without possibility of further appeal.

The reapplication waiting period begins from the date of the original denial, not the date the denial was upheld on appeal.

If the organization disagrees with the determination request an informal meeting with BBH they would need to contact BBH's announcements mailbox at dhhrbbhannouncements@wv.gov and put "request for informal meeting regarding recovery residence certification denial" in the subject line.

If the organization wants a hearing from the board of review, they can go through the process listed on their website (<https://www.wvdhhr.org/oig/bor.html>).