EMS Standard Operating Procedures

<table>
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<th>Policy Title:</th>
<th>Dispute Resolution</th>
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<td>Section:</td>
<td>AHA Training Center</td>
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<tr>
<td>Adoption Date:</td>
<td>10/01/2008</td>
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<td>Date of Most Recent Update:</td>
<td>10/01/2008</td>
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<td>CAAS Criteria Reference:</td>
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The TC is responsible for managing and resolving all disputes, complaints, or problems that arise from a course offered by an Instructor employed by or aligned with the TC or from other TC activities or business.

The American Heart Association is not responsible for the day-to-day operations of the TC or its business practices and will not become involved in resolution of any disputes, complaints, or problems arising from courses taught by the TC, with the exception of disputes, complaints, or problems that involve:

- Course content/curriculum
- Instructor qualifications
- American Heart Association administrative policies and procedures
- American Heart Association ECC science issues
- American Heart Association Agreement and program guidelines

The American Heart Association will consider only issues involving these types of matters. If, after diligent efforts, the TC is unable to resolve any of these issues, it must turn the dispute, complaint, or problem over to the American Heart Association according to the procedure below. However, this does not diminish the responsibility of the TC for its employees or Instructors teaching courses offered through or processed by the TC. Complaints regarding these issues may be submitted in writing by:

- A student who attended the course in which the problem arose
- An Instructor, Course Director, TC Faculty, or TC with information about the problem
• An American Heart Association volunteer or staff person with information about the problem
• If, after diligent efforts, the TC is unable to resolve issues involving the matters listed above within 30 days after notification of the problem, the TC must send the dispute/complaint to the Regional ECC Office by providing the following information (a TC may be either a complainant or a respondent):
  • The name and address of the person making the complaint ("Complainant"). The American Heart Association will not permit the individuals(s) making the complaint to remain anonymous.
  • The name and address of the person and/or organization against which the complaint is made ("Respondent").
  • The TC must provide a detailed written description of the dispute, complaint, or problem (i.e. who, what, when, where, why), and its attempts to resolve the matter. The TC Coordinator must sign the statement.
  • Reference to the appropriate rule, standard, and/or guidelines related to the matter.
  • Copies of all related correspondence, records, and other documentation.

AHA staff will contact the Regional ECC Committee Chair and/or members who will review the dispute as appropriate. Hereafter the committee assigned to address the grievance will be referred to as the “Review Committee.”

The Review Committee will refer to the current program guidelines for all administrative, educational, and science issues. The Review Committee may consult the National Subcommittee on ECC Program Administration, national science committees, or legal counsel as appropriate on any issue not already addressed in the program guidelines.

Within 10 business days after receipt of notification of the dispute, AHA staff and the Review Committee will issue a written notice to the TC, Complainant, and Respondent that the matter has been referred to the American Heart Association within 30 days by registered or certified mail receipt of notice.

The Review Committee will determine the nature, significance, and corrective action (if any) that must be taken by the individual or TC against whom the complaint has been made. The Review Committee will research national and/or regional written policies that pertain to the grievance. Copies of written policies will be attached to the notification of dispute and all related correspondence and sent to the Review Committee notifying the TC, the individual, or any legal counsel appointed by the Respondent of said ruling. The recipient of the letter will be given 30 days to comply.

An AHA staff person or a member of the Review Committee will issue the decision regarding the matter within 60 days after notice to the parties. The decision of the Review Committee may include one or more of the following as appropriate:

• Reprimand or letter of counseling to Respondent and/or TC, including a statement of the corrective procedure/action.
• Agreement by the Respondent and/or TC to take specified corrective procedure/action.
• A probationary period that applies to the Respondent and/or TC, including monitoring of course(s).
• Revocation of Regional Faculty or other regional status.
• Termination of the TC Agreement.
• Request for additional information.
• Dismissal of complaint.

If the American Heart Association dismisses the grievance, a letter announcing the decision will be sent to the Complainant, Respondent, and TC.

If the grievance is not dismissed, the American Heart Association will either:

Schedule a hearing within 30 days after the date of the decision, inviting the parties to appear and provide information or

Issue a decision and inform the parties of their right to request a hearing and further consideration of the matter.

Decisions involving probation, additional monitoring, or revocation of status may be appealed to the Review Committee within 10 days. The decision of the Review Committee shall be final.

**Good Samaritan Laws**

As of the time of printing, 48 states have enacted laws, to protect persons who render aid from liability. These laws are often called “Good Samaritan” laws. The laws are intended to encourage people to render aid in emergency situations. Contact your District or Regional Service Center for a copy of the applicable laws in your state.

**Automated External Defibrillators and Public Access Defibrillation Legislation**

The American Heart Association has developed model legislation for states to use in developing laws for the use of AEDs by first responders and the lay public. A large number of states have already passed legislation. Anyone who might be called on to use an AED should consult the applicable laws in his or her state. For more information on which states currently have AED legislation, consult the AHA Web site at www.proed.net/ecc/Legis/state.