

## **Sample Protocol C**

### Colleague and Patient Assistance Committee

#### Introduction

The Colleague and Patient Assistance Committee (“CPAC”) serves the function of a peer review committee for conflicts and concerns that are not specifically ethical in nature and involve Center members. In particular, CPAC exists to allow people to bring concerns about impairment to the attention of the Center. In addition, it functions to aid the Center in educating and informing members to anticipate means of dealing with impairment when it occurs. Finally, CPAC will accept concerns about disputes between members or between members and patients, which can be resolved through negotiation.

The CPAC has therefore been established to provide an opportunity for peer consultation and assistance with such issues. It is our hope that the existence of this Committee will encourage the early discussion of issues that left unattended might become major problems. In addition, we are mindful that on some occasions a colleague may be unfairly criticized.

Problems or concerns may be brought by patients, colleagues, students, supervisees, or other individuals about anyone associated with the Center. Complaints can be brought to the President of PCOP, the Chair of the Ethics Committee, or the Chair of CPAC. These complaints must be brought by someone with direct experience or involvement in the situation. The complainant must identify him- or herself to the President of PCOP, the Chair of CPAC, or the Chair of the Ethics Committee; the privacy of the complainant will be maintained within this group.

#### Composition of the Committee

The Committee will be composed of six members of the Center, chosen by the President of the Coordinating Committee. Members will serve rotating 3-year terms with the possibility of one renewal. The President of the Candidates’ Organization will act as a liaison to the Committee from the candidates, or may assign another candidate as liaison.

#### Initial Routing of Concerns/Complaints of Misconduct

The Center has established a mechanism for routing concerns to CPAC or the Ethics Committee as appropriate. CPAC will evaluate all concerns, which reach the committee from this process.

1. If a complaint of misconduct is made directly to the Ethics Committee, then the matter shall be handled by the Ethics Committee in accordance with its Procedures.

2. If a complaint of misconduct is made to the President or to the Chair of CPAC and either party determines that the allegations, if true, would not constitute a violation of the American's Principles of Ethics, then the complainant shall be advised to address his/her complaint of the Chair of the Ethics Committee.
3. If a complaint of misconduct is made to the President or to the Chair of CPAC and either party determines that the allegations, if true, would likely constitute a violation of the American's Principles of Ethics, or would likely and principally pertain to impairment, then the matter shall be handled by CPAC according to its Procedures.
4. If a complaint of misconduct is made to the President or to the Chair of CPAC and there is lack of clarity or controversy as to where the complaint would best be handled, the President and Chairs of the Ethics Committee and CPAC shall confer to make this determination.
5. If an issue of ethical misconduct is brought to the attention of the President and no formal complaint has been filed, the President may, at his/her discretion, confer with the Chair of the Ethics Committee or the Chair of CPAC or convene a meeting of all three parties to determine the optimal routing of the matter.
6. Complainants in ethics matters who have not filed a formal complaint with the Ethics Committee may be encouraged to do so in the service meeting the Center's obligation to address ethics issues.

### Policies and Procedures

The CPAC, the Chair of the Ethics Committee, and the President of PCOP will maintain confidentiality of all parties in all matters. IF CPAC finds, upon investigation, that there appears to be a basis for a formal Et6hics complaint, and the individual is prepared to make a written complaint to the Ethics Committee, he or she will be advised to do so.

The procedures of the Committee do not permit the involvement of attorneys. In the case that one or more parties engage an attorney, the Committee will cease its work on the matter. This is a Committee that is dedicated to the collaborative resolution of difficulties; adversarial procedures, as in those involving attorneys, are inconsistent with our mission. The Committee will also end its involvement if a complaint is filed with the Ethics Committee.

CPAC is a committee for the mediation of disputes arising from impairment of any kind. Disputes about care that do not involve alleged ethical violations may also be brought to the committee. CPAC will make a good faith at tempt to resolve concerns by involvement in the process will not change or interfere with the rights of any party to seek a remedy by other means. The CPAC may refuse to investigate matters that it believes are beyond its purview. No person or committee will be obligated to follow the

recommendations of the CPAC. No activity of the CPAC will prevent any individual from filing an ethics complaint at any time.

The CPAC will be available to help affected individuals resolve difficulties in treatment or in supervisory situations. For example, the committee can assist in referral to another analyst, change of supervisors, or formal clinical consultation, if requested.

Members of the Committee may recuse themselves if necessary due to personal or confidential relationships with one or more of the involved parties. For each Committee member who requests recusal, the Chair will submit names of three Center members to serve as a replacement. The President of the Center will choose replacements from this list.