



# *POLICY AND PROCEDURE MANUAL*

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*AMERICAN CLINICAL BOARD OF NUTRITION*

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# Contents

Purpose and Scope.....	6
Mission Statement.....	6
Purpose of the DACBN Credential.....	6
Scope.....	6
Governing Authority.....	7
Structure and Authority.....	7
Limitations.....	7
Impartiality Regarding Education and Training.....	8
Preparatory Materials.....	8
Education and Training.....	8
Executive Board Composition and Qualifications.....	9
Composition.....	9
Terms.....	9
Duties.....	9
Public Member.....	10
Executive Board and Examining Committee Selection.....	11
Selection of Examining Committee Members.....	11
Selection of Executive Board Members.....	11
Qualifications.....	12
Resignation.....	12
Removal.....	12
Vacancies.....	13
Executive Board Meetings.....	14
Meetings.....	14
Quorum.....	14
Participation.....	14
Agendas.....	14
Minutes.....	14
Executive Board Member Orientation.....	16
Orientation and Materials.....	16
Confidentiality.....	17

Confidential Information.....	17
Certification Verification.....	17
Aggregate Data.....	17
Confidentiality Agreements.....	17
Confidential Materials.....	18
Access to Confidential Information.....	18
Conflict of Interest.....	19
Conflict of Interest.....	19
Duty to Disclose.....	19
Conflict of Interest Agreements.....	19
Committees.....	20
Establishing Committees.....	20
Authority.....	20
Composition, Selection, & Terms.....	20
Qualifications.....	20
Standing Committees.....	20
Training.....	21
Roster.....	22
Financial Management.....	23
Purpose.....	23
Budget.....	23
Compensation and Expense Reimbursement.....	23
Payments.....	23
External Contributions.....	23
Staff.....	25
Administration.....	25
Staff Orientation & Training.....	25
Roles and Responsibilities.....	25
Whistleblower Protection.....	26
Introduction.....	26
Reporting of Concerns or Complaints.....	26
Confidentiality.....	26
Retaliation.....	26
How to Report Concerns or Complaints.....	26
Questions.....	27

Vendor Management.....	28
Vendor Management.....	28
Organizational Chart.....	29
Eligibility Requirements.....	30
Eligibility Criteria.....	30
Eligibility Rationale.....	30
Grandfathering.....	31
Inactive Status.....	31
Emeritus Status.....	31
Reconsideration of Adverse Decisions.....	32
Submitting a Request for Reconsideration.....	32
Review Process.....	32
Application Processing.....	33
Complete Applications.....	33
Incomplete Applications.....	33
Fees.....	33
Refunds, Cancellations, and Rescheduling.....	33
Verification.....	33
Failure to Demonstrate Eligibility.....	34
Certificant’s Agreement.....	35
Introduction.....	35
Purpose.....	35
Certificant’s Agreement.....	35
Summary of Certification Activities.....	36
Nondiscrimination.....	37
Accommodations for Candidates with Disabilities.....	38
Requests.....	38
Request Processing.....	38
Use of Certification Mark.....	39
Proper Use of Credential.....	39
Certificates.....	39
Recertification.....	40
Purpose.....	40
Requirements and Timeline.....	40
Rationale.....	41

Approved Providers.....	41
Certification Status.....	41
Limitations.....	42
Recertification Application Processing.....	43
Reporting Recertification Activities.....	43
Verification Process.....	43
Recertification Acceptance.....	43
Disciplinary and Complaints Policy.....	44
Introduction.....	44
Grounds for Sanctions.....	44
Complaints.....	44
Complaint Review.....	45
Determination of Violation.....	46
Sanctions.....	47
Appeal.....	47
Resignation.....	48
Annual Report of Complaints.....	48
Examination Development and Ongoing Maintenance.....	49
Subject Matter Experts.....	49
Job Analysis Studies.....	49
Examination Specifications.....	49
Item Writing and Review.....	50
Item Bank.....	50
Examination Assembly and Approval.....	50
Establishing a Passing Point.....	50
Equating.....	50
Test Analysis and Technical Reports.....	51
Examination Administration.....	52
Format.....	52
Testing Sites.....	52
Proctors.....	52
Proctor Training.....	52
Examination Admission.....	53
Examination Day.....	53
Score Reporting.....	53

Irregularities.....	54
Inclement Weather or Other Circumstances.....	54
Exam Retakes.....	54
Examination Related Complaints.....	55
Security.....	56
Confidential Documents.....	56
Access.....	56
Physical Security.....	56
Electronic Security.....	56
Exam Administration.....	56
Security Violations.....	57
Records Retention.....	58
Introduction.....	58
Documents Retained Indefinitely.....	58
Documents Retained for 7 Years.....	58
Documents retained 5 Years.....	58
Documents Retained for 90 Days.....	58
Verification of Credentials.....	59
Quality Assurance Program.....	60
Purpose.....	60
Internal Audit.....	60
Financial.....	61
Training.....	61
Errors Found during Normal Operations.....	61
Appendix A: Policy Compliance Calendar.....	63
Appendix B: Conflict of Interest Form.....	65
Appendix C: Non-disclosure and Confidentiality Agreement.....	66
Appendix D: Glossary of Terms.....	68

# Purpose and Scope

Policy Number: 100

Date Approved: 11/3/16

Date(s) Revised: 10/31/16

## *Mission Statement*

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The mission of the American Clinical Board of Nutrition is to ensure for the health, safety and welfare of the public through an examination and certification process that assesses professional and clinical competence of health care providers in clinical nutrition.

## *Purpose of the DACBN Credential*

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The purpose of the ACBN's DACBN certification program is to enact change on the traditional health care industry in the United States by certifying advanced, doctoral-level professionals who are focused on providing a nutritional model of preventative health care in a variety of professional settings. The ACBN conducts certification activities in a manner that upholds standards for competent practice in the healthcare specialty of clinical nutrition.

The ACBN conducts a certification exam that adequately measures the knowledge and skill required to earn and maintain the DACBN credential. A job analysis study is conducted every five years in order to ensure the validity and currency of the exam content. The ACBN conducts certification activities to assure public safety, quality assurance and clinical competence. The ACBN is a non-profit 501 (c) 6 organization.

## *Scope*

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A Diplomate of the American Clinical Board of Nutrition (DACBN) is an advanced-level professional who practices clinical nutrition as a model of preventative health care in their respective health care setting and role. The individual has earned a professional doctorate degree and completed specialized postgraduate training in the field of Clinical Nutrition and has a high level of knowledge and skill as demonstrated by meeting the DACBN eligibility requirements and successfully passing the DACBN exam. Certified professionals may work in a variety of health care professions such as chiropractic physicians, medical physicians, dentists, naturopathic doctors, doctors of pharmacy, and other physicians in the medical field. DACBNs practice throughout the United States in a variety of settings, such as private offices, hospitals, nursing homes, hospice care, health care facilities, community settings, and research facilities as doctoral-level credentialed health care providers.

# Governing Authority

Policy Number: 101

Date Approved: 11/3/16

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## *Structure and Authority*

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The American Clinical Board of Nutrition (ACBN) was established to develop and administer a certification program to postdoctoral professionals who practice clinical nutrition across the broad spectrum of settings encompassed by the health care industry.

The ACBN Executive Board consists of seven (7) voting members, of which six (6) are certified individuals, and one (1) is a public member who represents the recipients of healthcare services from a DACBN-certified professional.

The ACBN Executive Board is solely responsible for all essential decisions related to the development, administration, and ongoing maintenance of the certification programs. The ACBN Executive Board may delegate ongoing program operations to employees, committees, taskforces, and/or vendors or consultants, however, the following areas of policy-level decision making may not be subcontracted to any other organization or entity. The decisions for which the ACBN Executive Board is solely responsible include:

- Defining the mission and purpose
- Selecting the Staff Liaison
- Providing financial oversight, including approving an annual budget
- Ensuring effective organizational planning
- Approving all certification program policies
- Establishing eligibility requirements for initial certification and renewal of certification
- Overseeing all exam development activities including, but not limited to: exam content specifications, selection and training of SMEs, item development and review, exam form assembly, and approving cut scores.

Executive Board Directors as individuals have no authority over certification program affairs unless given authorization by action of the ACBN Executive Board.

## *Limitations*

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Directors will not participate in the development of educational content as outlined in the Impartiality Regarding Training Policy.

# Impartiality Regarding Education and Training

Policy Number: 102

Date Approved: 11/3/16

Date(s) Revised: 12/28/16

## *Preparatory Materials*

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The ACBN may offer sample exam items or practice exams in order to familiarize candidates with the format of the exam. However, participation in the practice materials is optional, and ACBN will prominently indicate that participation will not guarantee success on the DACBN exam and that the use of the materials does not represent the preferred or best route to certification. Sample/practice exams may not contain any items that are in the active item bank.

Currently, the ACBN does not offer sample exam items or practice exams.

## *Education and Training*

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The Executive Board Directors, Examining Committee members, Item Writing Committee members, Staff, and all others with access to confidential examination content or information will not:

- Establish policies related to the development or delivery of educational content designed to prepare individuals to take the ACBN certification examination.
- Develop or deliver any educational programming designed to prepare individuals for the DACBN exam (such as study guides, exam preparation materials, etc.).
- Approve or endorse examination preparation products designed to prepare individuals for certification.
- Participate in the development or delivery of any specific preparatory course, workshop, or program intended for ACBN certification.

Those who participate in creating and/or reviewing content for the examination(s), including serving as item writers and/or item reviewers, may be subject to additional restrictions as established in the ACBN policies and procedures.

Individuals associated with the ACBN as outlined above must follow this restriction during their terms of service and for a period of two (2) years after and will attest to this by signing the Confidentiality and Conflict of Interest agreement (see the Confidentiality and Conflict of Interest Policies).

# Executive Board Composition and Qualifications

Policy Number: 103

Date Approved: 11/3/16

Date(s) Revised: 10/31/16

## *Composition*

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The ACBN is governed by the Executive Board (Board), which consists of seven (7) voting members. Six (6) members will be DACBN-certified individuals, and one (1) member will be a Public Member who represents the interests of those who receive the services of a DACBN-certified individual. 51% of Executive Board members must be chiropractors by profession as the majority of the certificant population are chiropractors, and this ensures a representative governing body. The Board consists of the following positions: President, Vice-President, Immediate Past-President, Secretary, Treasurer, and Director.

ACBN Staff may attend ACBN Executive Board meeting at the request of the President but has no voting rights. Examining Committee members may also attend Executive Board meetings but have no voting rights.

Executive Board members receive no compensation for their services except the reasonable reimbursement of expenses related to an official face-to-face Board meeting.

## *Terms*

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All terms of office are for a period of three (3) years, and Board members can serve no more than two (2) consecutive terms in the same position. Executive Board members may be appointed to another position on the Board once their initial two terms have expired. The Board may, at its discretion, exempt the Secretary from term limits to maintain continuity of the Board. Appointments to the Executive Board are made as needed to fill those Executive Board positions being vacated.

Executive Board terms begin January 1.

## *Duties*

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The President presides at the Executive Board meetings; approves the agendas for all meetings, and performs other duties as appropriate for the position.

The Vice-President presides at the Executive Board meetings in the President's absence and performs other duties of the President's office in case of absence of the President, or as requested to do so by the President.

The Secretary ensures that meeting minutes are recorded and distributed to the Board as required. The Secretary may assist in distributing meeting agendas and minutes to the Board as requested by the President.

The Treasurer develops the annual budget for review by the President and approval by the Executive Board. The Treasurer ensures that operations of the ABCN are within Budget allowances.

The Director serves the Board and assists the other positions as necessary.

The Immediate Past-President will assist the President or other officers as requested to ensure continuity of the Board.

### *Public Member*

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The Public Member will be appointed to represent those who use the clinical nutrition healthcare services of DACBN-certificants. The public member serves to broaden the perspective of the decision-making of the certification program by protecting the interest of the public, bringing new ideas to the Executive Board, and ensuring that the Board is consumer-minded in its decision making. The public member will meet the requirements in the *NCCA Standards for the Accreditation of Certification Programs*. As such, the public member may not be:

- A current or previous member of the profession, occupation, role, or specialty area encompassed by the certification program;
- A supervisor, manager, direct co-worker, or an employee or subordinate of individuals in the profession encompassed by the certification program;
- An employee of an individual certified by the certification program or of an employer of individuals in the profession encompassed by the certification program;
- A person who currently receives or within the last five years has received income from the profession encompassed by the certification program.

# Executive Board and Examining Committee Selection

Policy Number: 104

Date Approved: 11/3/16

Date(s) Revised: 10/31/16

## *Selection of Examining Committee Members*

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In addition to fulfilling the regular duties of the committee, the Examining Committee serves to prepare individuals who will later serve on the Executive Board by providing those individuals with leadership experience within the organization and in order to ensure a smooth transition into an Executive Board leadership role. The Examining Committee is made up of no less than ten (10) and no more than twenty (20) members.

The Executive Board appoints a Nominating Committee whose responsibility is developing a slate of candidates for election to the Examining Committee annually as vacancies arise. The Nominating Committee is composed of an Examining Committee member, an Item Writing Committee member, and an additional certificant as appointed by the President. The Nominating Committee should be composed so that it represents a diverse segment of the certified population.

A call for nominees will be sent to all certificants and included in the ACBN newsletter. Any DACBN certificant in good standing may nominate a certificant for a position on the Examining Committee. Self-nominations are allowed. The Nominating Committee will gather all nominations and conduct an initial screening of the candidates to ensure that they meet the qualifications for serving on the Examining Committee as listed in this policy and that they have interest in doing so.

If there are more candidates than vacant positions, the Nominating Committee will then produce a slate of candidates for final approval by the Executive Board and will distribute the election ballot. The ballot will be distributed to every certificant in good standing. Each certificant is allowed one vote. The Nominating Committee will tally the results, and the Examining Committee vacancies will be filled by the candidates who attain the majority vote and in such number to fulfill the Examining Committee vacancies.

In the event that the number of candidates is equal to the number of vacancies and a full election process by the certificant body is not necessary, the Executive Board will confirm the election of the approved candidates to the Examining Committee.

Newly elected Examining Committee members are invited to attend the regularly scheduled committee meeting that precedes the beginning of their term as part of on-boarding. This may be done via e-mail, group calls, or one on one communications.

## *Selection of Executive Board Members*

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As a vacancy on the Executive Board occurs, the Examining Committee members will appoint a new Board member from the Examining Committee to a specific role on the Executive Board. These appointments are conducted on an as needed basis and by a majority vote of the Examining Committee. An Examining Committee member will be appointed to one of the following roles on the Executive Board: President, Vice President, Secretary, Treasurer, or Director.

The Executive Board will select the public member. The Immediate Past President is also a member of the Board.

### *Qualifications*

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Examining Committee members and Executive Board members who are not the public member must be DACBN-certificants in good standing demonstrating that they have the education, training, and experience representative of the certificant population. A certificant in good standing is one who:

- Has no financial obligations to the ACBN (all fees paid)
- Is current with recertification requirements (has attended the appropriate seminars, etc.)
- Is current with clinical competency requirements

In order to be eligible for a position on the Examining Committee or Executive Board, a candidate must also:

- Not be teaching or associated with any aspect of a training program associated with DACBN examination preparation for at least two years prior to nomination
- Not hold any administrative or policy-making position with any college, university, institution, foundation or agency in which a postgraduate nutrition program is approved by the ACBN for any part of the certification program's certification or recertification requirements; however, teachers not involved with training for the certification program are eligible
- Not be an officer of any other nutrition organization without the expressed approval of the Board

Those seeking election to the Examining Committee must first:

- Have been a certificant in good standing for at least one consecutive year prior to nomination
- Submit a letter of intent to the ACBN, current CV or resume, and three letters of recommendation from other certificants in good standing

In addition, the Examining Committee and Executive Board should be composed of a diverse segment of the certified population to ensure that differences in gender, age, geographic location, educational background, specialty of practice, employment setting, and employment experience are fairly represented.

### *Resignation*

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An Executive Board member may resign at any time by providing written notice to the President of the Board. The notice will include the effective date of the resignation. If the President wishes to resign, the notice shall be provided to the remainder of the Executive Board.

An Examining Committee member may resign at any time by providing written notice to the Chair of the committee.

### *Removal*

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An Executive Board member may be removed from the position by a majority vote of the remainder of the Board members at a regular or special meeting in which a quorum is present. A Board member may be removed for reasons such as failure to: perform the duties of the office, attend Board meetings,

actively participate or prepare for Board meetings, or act in the best interest of the certification programs.

An Examining Committee member may be removed from the position by the President of the Executive Board in consultation with the Committee Chair, for reasons such as failure to: perform the duties of the office, attend Board meetings, actively participate or prepare for Board meetings, or act in the best interest of the certification programs.

### *Vacancies*

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In the event of the vacancy or removal of an Executive Board member, the Examining Committee will appoint an interim replacement for the remainder of the term. The appointed officer is eligible for two full terms.

# Executive Board Meetings

Policy Number: 105

Date Approved: 11/3/16

Date(s) Revised: 10/31/16

## Meetings

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Executive Board meetings will take place quarterly at a time as specified in advance by the President of the Board. Special meetings of the Board are called by the President or by a majority of the voting members as long as appropriate advance notice stating the meeting's purpose is provided to all members. Board members receive adequate advanced notice of the meetings, unless a time sensitive issue arises, and short notice is required.

Meetings called for the purpose of removing a Board member are not subject to waiver of the normal meeting notice requirements.

Meetings may be held in person or by electronic means, so long as all Board members in attendance can participate and be heard, and a quorum is present.

Executive Board members will participate in one in-person meeting each year. Board members who request and are granted special dispensation by the Board may attend the meeting via conference call.

### Quorum

A majority of the members of the Executive Board constitutes a quorum at any meeting. Proxy voting is not permitted.

Any action taken by the majority of the voting Executive Board members is considered to be an act of the Board.

In the absence of a scheduled meeting, the Board may resolve matters via email vote. Email votes are reserved for issues that require quick resolution and do not require lengthy discussion or in situations where a special meeting cannot be convened in a timely manner. Email votes must be unanimous to be considered as an act of the Board. In addition, issues resolved via email vote must be reported at the next regular or special meeting of the Board.

## Participation

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Attendance and active participation is expected of each Board member. Failure to do both may result in removal of a Board member as specified in the Executive Board Selection policy.

## Agendas

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The Board President will work with ACBN Staff to develop each meeting's agenda. Any Board member may suggest agenda items. ACBN Staff will distribute meeting agendas via email or other means as approved by the President in advance of any Board meeting. If the agenda should be updated or revised after distribution and prior to the meeting, the President will approve such changes.

## Minutes

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The Board Secretary will work with ACBN Staff to keep the official minutes of each meeting. Minutes typically include decisions made by the Board but are not required to include all background information or discussion of the Board.

Meeting minutes are confidential unless specified otherwise. Minutes of any executive session are confidential.

Minutes will be distributed to the entire Board within two weeks of the meeting. Minutes will be retained according to the timeline specified in the record retention policy.

# Executive Board Member Orientation

Policy Number: 106

Date Approved: 11/3/16

Date(s) Revised: 10/31/16

## *Orientation and Materials*

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All newly elected Executive Board members receive an adequate orientation at the beginning of their first term delivered by current Board members or ACBN Staff. Orientation materials include a copy of ACBN's:

- Bylaws
- Policy and Procedure Manual
- Candidate Handbook
- Candidate Application
- Executive Board minutes for the previous 12 months
- Financial reports for the current YTD and the previous year
- Current Job Analysis and other test development report summaries
- Recent Board meeting minutes

Newly elected Board members are encouraged to observe the Board meeting directly preceding their first meeting as a Board member as part of their orientation.

Prior to receiving any orientation materials or attending any meetings, newly elected Board members must complete a signed Confidentiality and Conflict of Interest form.

# Confidentiality

Policy Number: 107

Date Approved: 11/3/16

Date(s) Revised: 10/31/16

## *Confidential Information*

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ACBN and the Executive Board is dedicated to protecting the confidential information of its applicants, candidates, certificants, and its own proprietary information such as materials related to exam development and administration. The confidentiality policy applies to Board members, employees, subject-matter experts (SMEs), all volunteers, proctors, vendors and consultants, and anyone else permitted access to confidential material.

Confidential materials include, but are not limited to: an individual's application status; personal applicant/certificant information; candidate pin numbers; exam development, administration, and maintenance documentation (including role delineation study reports, technical reports, and cut score studies); exam items and answers; exam forms; and individual exam scores.

ACBN Executive Board members, employees, subject-matter experts (SMEs), and all those with access to confidential exam information are prohibited from developing or delivering examination preparation products and are not eligible to take the examination during their tenure and for a period of two years following the end of their access to examination content.

## *Certification Verification*

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DACBN credential holders' names and status as a certified individual will be published by the ACBN on its web site and by other means. This information is not considered confidential. ACBN Staff will maintain the online registry of certificants.

If a certificant does not wish to be included in the online registry, the individual may withhold his/her name by indicating this desire on the candidate application or by contacting ACBN directly.

Certification status of an individual may be verified, regardless of publication status, by contacting ACBN Staff. No other information, including application or exam status, score information, and personal details, will be released. If a candidate/certificant wishes to release his/her exam results to a third party, this may be done by written consent of the candidate/certificant.

Certificants who are retired and are not in active practice may hold the Emeritus status after providing sufficient evidence and receiving permission from ACBN to do so. Therefore, the individual will be listed in ACBN's credential verification publication as DACBN-Emeritus, if so desired.

## *Aggregate Data*

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Yearly aggregate exam statistics are publicly available and include the number of candidates taking the exam, the pass/fail rates for each examination period, the number of individuals renewing, and the total number of certificants. No information that individually identifies a candidate/certificant is supplied.

## *Confidentiality Agreements*

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Applicants for certification are required to read and acknowledge a confidentiality statement as part of the application process agreeing not to disclose any exam or other confidential information.

Before beginning his or her term of office, each Executive Board member signs a confidentiality agreement stating that he/she will not disclose any confidential information. Information discussed during Executive Board meetings or recorded in meeting minutes is considered confidential. If a question is raised as to the confidentiality of certain information, confidentiality is determined by ACBN Staff and the Board President.

Subject-matter experts and other program volunteers who participate in examination development activities (including, but not limited to, item writing, item review, exam form assembly, exam for review) or who have access to confidential information sign additional confidentiality and non-disclosure forms prior to having access to any confidential examination materials.

Vendors and consultants with access to confidential information are required to sign a confidentiality agreement unless confidentiality is addressed in the contract for services.

Signed confidentiality agreements are maintained in accordance with the Record Retention policy.

### *Confidential Materials*

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All confidential materials are retained in a secure manner as required by the Security Policy. Executive Board members keep confidential and secure any confidential materials that are sent to them. These materials are kept in a secure and private location at all times until they are returned to ACBN Staff or are destroyed as directed by the staff.

### *Access to Confidential Information*

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Access to confidential information is limited to those individuals who require access in order to perform necessary work related to the certification program. Access is granted in compliance with the provisions of the Security Policy.

ACBN Executive Board members, employees, subject-matter experts (SMEs), and all those with access to confidential exam information are prohibited from developing or delivering examination preparation products during their tenure and for a period of two years following the end of their access to examination content.

# Conflict of Interest

Policy Number: 108

Date Approved: 11/3/16

Date(s) Revised: 10/31/16

## *Conflict of Interest*

A conflict of interest is defined as a situation in which personal or professional concerns or connections of an individual affect his or her ability to place the welfare of the ACBN certification program before personal benefits.

ACBN supports operational, administrative, and examination related policies that are free from actual, potential, or perceived conflicts of interest by ACBN employees, subcontractors, and those in elected, appointed, or volunteer positions.

No Board member shall derive any personal profit or gain from his or her participation in the Executive Board.

## *Duty to Disclose*

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Each Executive Board member must agree to fully and promptly disclose to the full Board and ACBN Staff any existing or potential conflict of interest the Board member may have, of either a personal, professional, business or financial nature and to refrain from participation in any decision on such matter. This includes avoiding potential and actual conflicts of interest, as well as perceptions of conflicts of interest. Upon receiving information regarding a potential conflict of interest, the Board will determine whether a conflict exists.

No member of the Board shall hold an administrative or policy making position with any other nutritional organization except upon the approval of the full Board. Members of the Board disclose all other Boards that they are a member of and any changes of employment during their service on the Executive Board.

## *Conflict of Interest Agreements*

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ACBN Staff, vendors, consultants, Board members, proctors, subject-matter experts, and volunteers must sign a Conflict of Interest form attesting to uphold the ACBN's Conflict of Interest policy. ACBN will maintain the signed forms in accordance with the Record Retention policy.

# Committees

Policy Number: 109

Date Approved: 11/3/16

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## *Establishing Committees*

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The ACBN Executive Board may establish and appoint members to committees, sub-committees, working groups, and/or task forces (referred to here as committees) as needed to perform the work of the certification program. Such committees may include, but are not limited to a nominating committee, exam development committee, recertification committee, and grievance committee.

## *Authority*

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Committees function in an advisory capacity to the Executive Board and follow all ACBN policies and procedures. The Board may dissolve or restructure any committee except the Examining, Nominating, Item Writing, Grievance, Recertification, Programs Review, and Accreditation.

## *Composition, Selection, & Terms*

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Committee members, with the exception of the Examining Committee, are appointed by the Executive Board from a list of volunteers developed after a Call for Volunteers outlining the current volunteer needs is sent to the entire certificant pool. This Call is included in the ACBN Newsletter and at the ACBN annual meeting held during the ACA Council on Nutrition Seminar. The Executive Board will appoint a Chairperson for each committee.

Committee members are not restricted to term limits but rather are encouraged to serve as their personal and professional responsibilities allow. If a committee member is no longer able to serve, he/she must resign the committee position in writing to the committee Chair who will inform the ACBN and determine if a new appointment is needed. To the extent reasonably possible, committee composition will reflect the diversity of ACBN certificants. Geographic representation, specialty/practice area, populations served, and experience level will be considered in order to prevent undue influence from any individual or group.

The President will appoint one Board Director or Examining Committee member to each committee to function as a communications liaison between the committee and the Board and will assist the committee Chair and ACBN Staff in carrying out the responsibilities of the committee.

Committees will have a minimum of three members. There is no mandatory limit on the maximum number of committee members, but in appointing the committee members the Board will consider the anticipated workload of the committee and the need for the committee to be able to work efficiently.

An ACBN Staff member will participate in committee meetings but will not have a vote.

## *Qualifications*

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All DACBN certificants in good standing and without a conflict of interest are eligible to serve on an ACBN committee. Failure to maintain certification status may result in loss of the appointed position. A public member may be appointed to a committee as needed.

### *Standing Committees*

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The Examining, Nominating, Item Writing, Grievance, Recertification, Programs Review, Accreditation, and Sponsorship Committees are standing committees of the ACBN.

The Standing Committees report to the Executive Board and are charged with:

#### **Examining Committee**

- Reviewing items developed by the Item Writing Committee
- Approving new exam form with consultation from the test vendor/psychometric consultant
- Offering oversight and quality assurance of the examination
- Pre-requisite for service on the Executive Board

#### **Nominating Committee**

- Preparing a slate of candidates to present for election to the Examining Committee

#### **Item Writing Committee**

- Conducting annual item writing activities in accordance with the exam content outline and with guidance from the psychometric consultant
- Developing a draft of a new exam form for review by the Examining Committee and Executive Board

#### **Grievance Committee**

- Hearing grievances regarding a certificant or the certification program in accordance with the Request for Reconsideration of Adverse Eligibility and Recertification Decisions Policy and the Discipline and Complaints Policy

#### **Recertification Committee**

- Assisting ACBN Staff in contacting certificants who have not completed annual recertification requirements leading up to the due date

#### **Programs Review Committee**

- Reviewing and approving nutritional education seminars to meet the ACBN eligibility or CE requirements

#### **Accreditation Committee**

- Assisting in the maintenance of the certification program's accreditation status.

#### **Sponsorship Committee**

- Researching grants and funding opportunities

### *Training*

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SMEs who serve as item writers are expected to attend initial training sessions to learn how to write and document exam questions, as well as follow up training at least every three years to maintain and enhance these skills. SMEs may not participate in any item or exam development activities until training is complete and signed Confidentiality and Conflict of Interest statements are returned. ACBN's psychometric consultant provides the necessary training to SMEs serving in roles related to exam development activities.

### *Roster*

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ACBN Staff will keep a record of ACBN committee rosters to include the volunteers' names, credentials, job titles, employers, city, state/region, years of experience, and other criteria as needed.

# Financial Management

Policy Number: 110

Date Approved: 11/3/16

Date(s) Revised: 10/31/16

## *Purpose*

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The ACBN will have sufficient and adequate resources to conduct effective and thorough certification program activities and ACBN operations.

## *Budget*

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The Board Treasurer and Staff Liaison will draft an annual budget for the President to review. After initial review, the draft budget will be presented to the full Executive Board for approval. At the Board's discretion, a third party may be hired to produce the budget and financial reports. The Board must approve all work done by the third party. The budget for the following calendar year will be approved by December 1<sup>st</sup> of the current year.

As part of the budget development and approval process, the Board also sets fees for certification, recertification, and other program activities.

The Staff Liaison with assistance from the Board Treasurer will provide periodic financial reports to the Board for the purpose of monitoring the budget and financial activities of the ACBN.

All vendor and consultant contracts shall be subject to Board approval prior to enactment of the contract.

The fiscal year begins January 1.

## *Compensation and Expense Reimbursement*

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The Board shall be entitled to reimbursement of all reasonable, necessary, and customary expenses incurred in relation to the annual face-to-face meeting and other expenses as incurred from conducting business on behalf of the ACBN.

For all expense reimbursements, Board members and committee members should use the lowest cost options available within reasonable limits (i.e., travel arrangements).

The Board shall determine expense provisions for ACBN Staff.

## *Payments*

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Two (2) Executive Board members may be required to approve all expenses. This may be through written approval via fax or email.

The Board President, Secretary, Treasurer, or ACBN Staff Liaison only are authorized to sign checks and use ACBN's credit card. A copy of the original receipt/invoice must be maintained by ACBN Staff.

All tax forms for a 501(c) 6 organization shall be filed annually by the Treasurer or a third-party, CPA agency.

## *External Contributions*

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Members of the Executive Board appoint members to the Sponsorship committee to contact companies or industry organizations related to the field of clinical nutrition who may wish to make financial contributions to support the ACBN. The financial contributions are used solely to promote the ACBN certification program or to conduct ACBN research projects, unless otherwise designated and clearly communicated. The Executive Board reviews potential contributions to assure there is no conflict of interest with the certification program, actual or perceived. The Board has final approval over the acceptance of all outside contributions.

All revenue and expenses from outside contributions is maintained separately from the general operating expenses of the ACBN unless otherwise designated and clearly communicated.

# Staff

Policy Number: 111

Date Approved: 11/3/16

Date(s) Revised: 10/31/16

## *Administration*

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ACBN will employ a qualified individual to manage the daily operations of the certification program. This individual reports to and works at the discretion of the Board.

## *Staff Orientation & Training*

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At the beginning of employment, ACBN Staff will receive access to all pertinent certification program documents for review.

The Executive Board expects that ACBN Staff are informed and knowledgeable about certification program best practices, current standards, examination development, and program operations. To support this expectation, ACBN Staff are expected to participate in yearly professional development activities, such as attendance at certification industry conferences/seminars and review of published white papers and articles related to these topics.

ACBN will participate in yearly performance evaluations conducted by the President of the Executive Board.

## *Roles and Responsibilities*

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The responsibilities of the ACBN Staff Liaison include, but are not limited to:

- Providing assistance and corresponding with candidates, certificants or other interested parties
- Preparing monthly and annual financial statements for Board review
- Scheduling and communicating ACBN committee and Board conference calls
- Writing and distributing Board and committee meeting minutes
- Maintenance of individual candidate and certificant records and the ACBN database
- Directing web site updates on an as needed basis
- Developing and distributing correspondence regarding recertification and fee requirements
- Completing an initial review of certification applications and distributing to ACBN committees as necessary for review
- Completing an initial review of recertification activity submissions and coordinating the Recertification committee to review recertification applications
- Maintaining the database of current certificants
- Preparing and distributing the ACBN newsletter

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# Whistleblower Protection

Policy Number: 112

Date Approved: 11/3/16

Date(s) Revised: 10/31/16

## *Introduction*

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ACBN requires all staff, board members, and volunteers to observe the highest professional and ethical standards in the performance of their responsibilities related to ACBN and to their personal business. Compliance with all applicable laws and regulations and honesty and integrity in practice is required at all times. The following policy outlines ACBN's requirements for reporting good-faith concerns about the legality or correctness of ACBN actions or plans.

## *Reporting of Concerns or Complaints*

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All ACBN staff, Board members, and volunteers are required to comply with the policies of the ACBN, applicable laws, and to report actual or suspected violations in accordance with this policy.

## *Confidentiality*

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Communications under this policy will be treated in a confidential manner by the ACBN, except to the extent necessary (1) to conduct a complete and fair investigation, or (2) for review of ACBN operations by the ACBN Executive Board, any independent public accountants or financial consultant, and ACBN's legal counsel.

## *Retaliation*

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Negative or adverse actions taken against any employee or individual for making a good-faith report of a possible violation of its policies or applicable law, even if the report is mistaken, or against any employee or individual who assists in the investigation of a reported violation is prohibited. Retaliation in any form will not be tolerated. Any act of alleged retaliation should be reported immediately and will be promptly investigated. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. The purpose of this Whistleblower Policy is to encourage and enable staff and volunteers to raise serious concerns within ACBN prior to seeking resolution outside the organization.

## *How to Report Concerns or Complaints*

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Employees and others may communicate suspected violations of ACBN policies, applicable law, or other wrongdoing or alleged retaliation by contacting the ACBN Executive Board President. Anonymous notifications are allowed, and it is not necessary that you give your name or position in any notification.

Whether or not you identify yourself, for a proper investigation to be conducted, please provide ACBN with as much information as you can, sufficient to do a proper investigation, including the date and place the incident occurred, names and titles of the individuals involved, and as much other detail as you can provide.

## **Illustrative Types of Concerns**

The following is a non-exhaustive list of the kinds of improprieties that should be reported:

- Supplying false or misleading information on ACBN’s financial or other public documents, including its Form 990
- Providing false information to or withholding material information from ACBN’s board or auditors
- Destroying, altering, mutilating, concealing, covering up, falsifying, or making a false entry in any records that may be connected to an official proceeding, in violation of federal or state law or regulations
- Altering, destroying, or concealing a document, or attempting to do so, with the intent to impair the document’s availability for use in an official proceeding or otherwise obstructing, influencing, or impeding any official proceeding, in violation of federal or state law or regulations
- Embezzling, self-dealing, private inurement (i.e., ACBN earnings inuring to the benefit of a director, officer, or senior management) and private benefit (i.e., ACBN assets being used by anyone in the organization for personal gain or benefit)
- Paying for services or goods that are not rendered or delivered
- Using remarks or actions of a sexual nature that are not welcome and are likely to be viewed as personally offensive, including sexual flirtations; unwelcome physical or verbal advances; sexual propositions; verbal abuse of a sexual nature; the display of sexually suggestive objects, cartoons, or pictures; and physical contact of a sexual or particularly personal nature.
- Using epithets, slurs, negative stereotyping, and threatening, intimidating, or hostile acts that relate to race, color, religion, gender, national origin, age, or disability
- Circulating or posting written or graphic material in the workplace that denigrates or shows hostility or aversion toward an individual or group because of race, color, religion, gender, nationality, age, or disability
- Discriminating against an employee or potential employee due to a person’s race, color, religion, sex, sexual orientation, national origin, age, physical or mental impairment, or veteran status
- Violating ACBN’s policies, including confidentiality and conflict of interest policies
- Facilitating or concealing any of the above or similar actions

### Questions

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If you have any questions regarding this policy, please contact the President of the ACBN Executive Board.

# Vendor Management

Policy Number: 113

Date Approved: 11/3/16

Date(s) Revised: 10/31/16

## *Vendor Management*

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ACBN may use an outside company or person (vendor) to conduct work on behalf of the ACBN related to ACBN or certification program operations, such as psychometric consultation, examination administration, in compliance with all ACBN policies and procedures. All subcontracted work will be conducted only under written agreement between ACBN and the third party. The decision to hire a vendor resides with the Executive Board; however, ACBN Staff may be assigned to interview and select a vendor as required by the Board.

Legal contracts for subcontracted services must be approved and signed by the Board President. Contracts will include metrics for monitoring and evaluating the work of the vendor.

ACBN monitors the work performed by vendors and/or consultants annually to ensure it meets the ongoing needs of the certification program. Issues that arise in between annual reviews are discussed by the Executive Board.

No essential certification decisions as defined in the ACBN's policies and procedures may be delegated to any vendor.

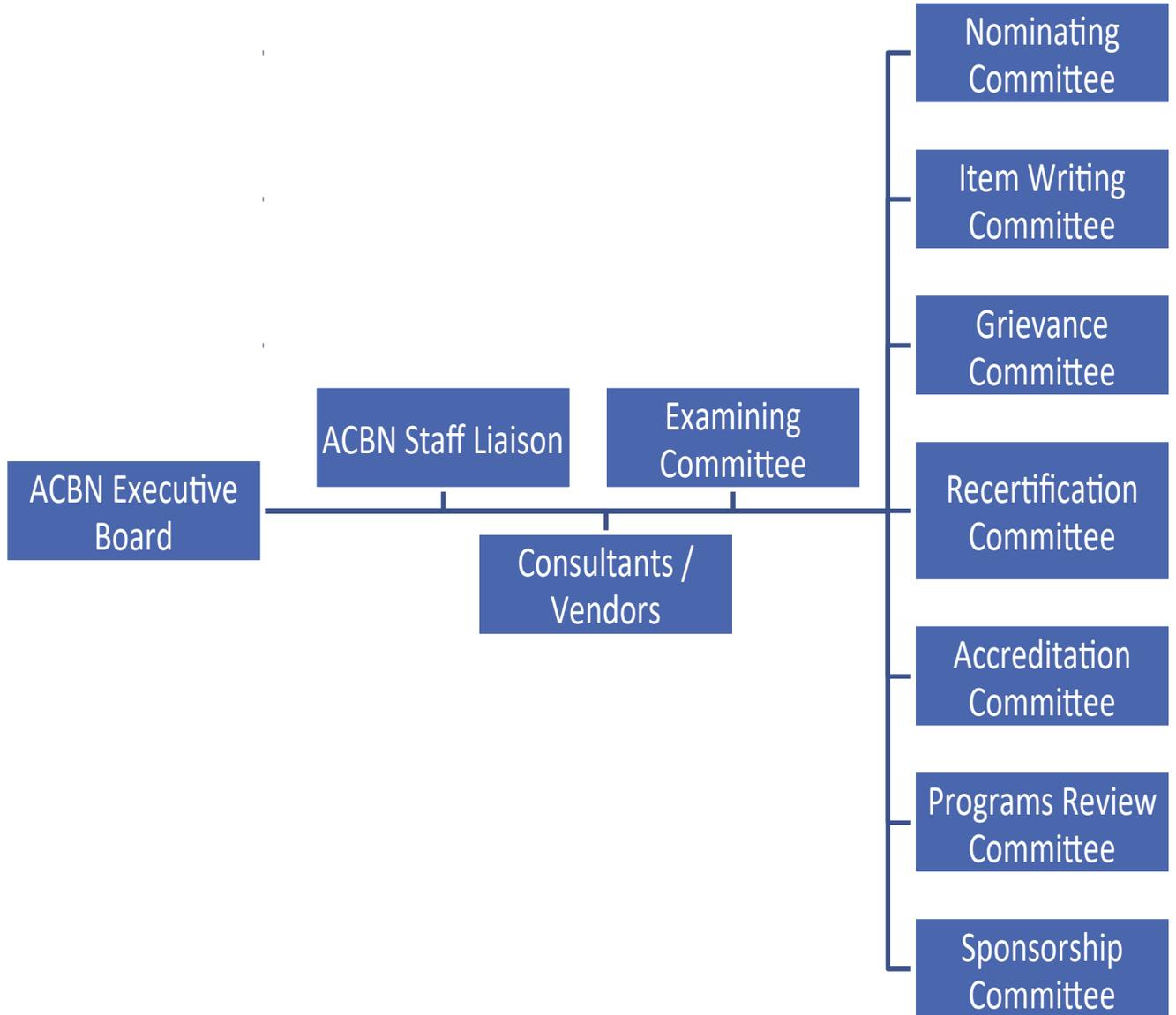
# Organizational Chart

Policy Number: 114

Date Approved: 11/3/16

Date(s) Revised: 10/31/16

The following diagram represents the organizational structure of the ACBN.



# Eligibility Requirements

Policy Number: 200

Date Approved: 11/3/16

Date(s) Revised: 10/31/16

## Eligibility Criteria

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ACBN has developed eligibility requirements for the certification program that ensure the application process is fair and impartial for all. Applicants for the DACBN-credential must meet the following criteria in order to earn certification:

1. **Doctorate:** Shall be a health care professional holding a professional Doctoral Degree with an accrediting agency recognized by the U.S. Department of Education, an Agency having a reciprocal agreement with the recognized agency, or the foreign equivalent, in good standing and with no disciplinary actions.
2. **Training:** Have completed 300 clock hours of specialized postdoctoral training in nutrition from an institution/provider that meets at least one of the following criteria:
  - a. An accredited college, university, foundation, or other institution.
  - b. An agency having a reciprocal agreement with an accredited institution.
  - c. A healthcare provider who has completed a 300-hour residency program from an accredited college, university or other institution or an agency having a reciprocal agreement with an accredited institution:
    - i. The Board must approve residency programs used toward this criteria. The residency program must supply the number of hours of teaching experience, research, and training in which the applicant participates in a document on the organization's letterhead and signed by the program's director.
3. **Writing Submission:** Write a nutrition-oriented article or white paper with at least 10 references acceptable for publication in Board-approved journals including, but not limited to, *Journal of Nutritional Perspectives*, *Journal of Nutrition*, *JMPT*, *American Journal of Clinical Nutrition*, *Journal of Chiropractic Medicine*, or *Nutrition Reviews*. Once approved, the candidate should submit the article for publication in the approved journal.
4. **Experience:** Have a minimum of one year experience in the practice of nutrition.
5. **Application and Fees:** Submit a completed application with all required documentation, including full payment, and receive the notice of eligibility from ACBN. Candidate must submit the application by emailing it (and mailing payment) or mailing the application and payment to ACBN.
6. **Exam:** Pass the DACBN written examination.

## Eligibility Rationale

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1. **Doctorate:** Shall be a health care professional holding a professional doctoral degree with an accrediting agency recognized by the U.S. Department of education, an Agency having a reciprocal agreement with the recognized agency, or the foreign equivalent, in good standing and with no disciplinary actions.
2. **Training:** Considering the knowledge requirements of the content areas covered by the DACBN exam and the amount of time necessary to study these practice areas, in detail, in an accredited

education course, the ACBN established the 300 hour education requirement to demonstrate that an applicant has received proper and extensive education in the field of clinical nutrition.

3. Writing Submission: Candidates must demonstrate the ability to apply competency in the scope of practice and professional writing and research documentation skills.
4. Experience: Holding the DACBN requires ample clinical practice experience within the doctor's scope of practice and in nutrition to demonstrate one's ability to practice competently and in the best interest of the health and safety of the patient.
5. Exam: Successful completion of the written DACBN exam, which covers the six domains identified by the job analysis survey as critical to the practice of clinical nutrition, demonstrates a candidate's knowledge and ability to recall and apply that knowledge to clinical scenarios.

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### *Grandfathering*

The Board does not grandfather candidates and requires everyone earning the DACBN credential to have successfully fulfilled all published eligibility criteria, including passing of the examination.

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### *Inactive Status*

A certificant who is experiencing an extenuating life circumstance, such as a major illness, that prevents him/her from obtaining the necessary CE credits may enter an inactive certification status for a period of one (1) year, with an evaluation of the situation completed after the first year. A recertification fee of \$100 will be required during the year when on Inactive Status. The educational recertification requirements must be made up for the year the doctor was on Inactive Status prior to the doctor regaining his/her Diplomate Status.

If the certificant continues the Inactive Status the second year, educational requirements must ALSO be made up for that year prior to regaining active status and the recertification fee of \$100 is also payable. The Inactive Status requires prior Board approval and may be for one year unless a second year is required. Re-evaluation is done prior to the second year being granted. There is a two year limit on the Inactive Status, after which time, the doctor will either have to go back on Active Status and meet all requirements to maintain the DACBN credential or be decertified and lose the DACBN credential. If the individual loses the credential, he/she must submit an application and take and pass the DACBN Examination in order to regain the DACBN credential. Inactive certificants may not use the DACBN designation in any form except on their CV (and must indicate the inactive status) and will be listed on the DACBN website as Inactive Status.

If prior Board approval is not requested before the recertification due date, the certificant must apply for and take the DACBN exam in order to reinstate the credential.

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### *Emeritus Status*

A certificant who is retired and not in active practice may hold the DACBN-Emeritus credential. A certificant must provide evidence of absence from active practice and will not be considered an active certificant. The certificant will be listed as DACBN-Emeritus on the credential verification page. Certificants who hold Emeritus Status pay a \$100 annual fee to maintain the DACBN-Emeritus but have no continuing education obligations.

# Reconsideration of Adverse Decisions

Policy Number: 201

Date Approved: 11/3/16

Date(s) Revised: 10/31/16

## *Submitting a Request for Reconsideration*

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An applicant whose eligibility for initial certification or a certificant whose eligibility for recertification has been denied, may request that ACBN reconsider the decision. Candidates who receive a failing grade on the exam may request the exam be rescored.

## *Review Process*

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### **Initial or Recertification Eligibility**

The request must be submitted in writing to ACBN Staff within 30 days of receiving notice of the adverse decision. Once ACBN Staff has received a written request for an appeal of the Executive Board's eligibility determination, a group of at least three Grievance committee members not associated with the initial determination will review the request and applicable materials. This committee will meet within 30 days of the request to consider the appeal. The applicant may supply new information or additional details for the committee to consider. The committee's decision will be sent to the applicant by certified mail within 15 days of the meeting.

### **Exam Rescoring**

ACBN must receive rescoring requests in writing no later than 60 days following the release of the candidate's original score. A non-refundable fee of \$50.00 must accompany the request. Candidates will receive the results of the hand scoring within 30 days of the request.

Requests received after 60 days of release of the original score will not be honored. Hand scoring of any previous examinations will not be honored.

### **Exam Decisions**

Failing candidates who experience incidents during the testing experience in conflict with the requirements of the Exam Administration policy or negative behaviors of the exam proctor, may file an appeal to request further action within 7 days of the receipt of exam results. All supporting information should be submitted at this time.

The Grievance Committee will review these appeals and information from all involved parties to render its decision within 30 days of receipt of the appeal.

If the candidate wishes to appeal the decision of the Grievance Committee, it may file a final appeal to the Executive Board. The information submitted with the initial appeal will be reviewed. The Executive Board will review the appeal at its next regularly scheduled meeting, and the candidate will be informed of the decision. The Executive Board's decision is final.

# Application Processing

Policy Number: 202

Date Approved: 11/3/16

Date(s) Revised: 10/31/16

## *Complete Applications*

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A complete application contains all information as requested on the application. Required documentation includes that of 300 hours of clinical nutrition education from an accredited university/college, two passport photos, signed Confidentiality/Conflict of Interest and candidate attestations, accommodations request (if needed), and the application and exam fee. ACBN Staff will review the application for completeness and check for required documentation. If the application is complete, two Examining Committee members will review the application and supporting documentation to determine the applicant's eligibility. If the application is complete, all requirements are met, and the applicant is approved to sit for the DACBN exam, ACBN will send notice to the candidate of his/her status as such. A candidate will be advised as to the location and time the next group examination will take place, or the candidate is given the choice of being proctored at a legal office, a college, or a library by an individual approved by the Board within six weeks of the date the application is approved.

## *Incomplete Applications*

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An application is considered incomplete if any of the requested information is missing or if the fee is not included. Within three weeks of receiving the application, the candidate will be advised by certified letter if there are any deficiencies that need to be addressed. The candidate is allowed three weeks from the date of the letter to provide additional information or revisions for the application to the ACBN.

## *Fees*

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The DACBN exam fee is \$1,000USD and must be submitted as a certified check payable to ACBN with the completed application or by contacting ACBN to provide credit card payment.

## *Refunds, Cancellations, and Rescheduling*

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The fee collected is an exam fee. Exam fees are non-refundable if the application is approved and accepted. If the applicant does not pass the DACBN exam, no refunds will be given.

If a candidate needs to reschedule the exam, he/she must submit the request in writing to the ACBN and arrangements will be made. The request must be made within seven (7) days of the scheduled exam date.

## *Verification*

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The ACBN will verify information supplied on an application according to the procedures outlined below. In the event that any of the eligibility requirements is not approved, the applicant will be given opportunity to provide additional information as outlined in the *Incomplete Applications* section of this policy.

1. Doctorate: Applicants are required to provide documentation of the healthcare doctorate earned. ACBN Staff will verify the accredited status of the doctorate through the state

accrediting college. In case of adverse information found as part of this verification, ACBN Staff will provide the information to the Executive Board for review. The Board will discuss at the next scheduled meeting (unless the matter is urgent) and decide to (1) request further information from the applicant or (2) deny the application based on the adverse findings.

2. Training: Applicants must provide proof of completion of a 300-hour clinical nutrition course from an accredited institution.
3. Writing Submission: A five member Editorial Review committee will review the writing submission to verify that it meets the criteria as established by the eligibility requirements and is suitable for publication. Once approved, the candidate should submit the article for publication.
4. Experience: Candidates must provide a current resume or CV.
5. Attestation: ACBN will verify that the applicant has signed all required attestations

ACBN Staff will review the application and ensure that it is complete. ACBN Staff will distribute the writing submission to the necessary parties for review and approval. Once the writing submission is approved for publication, two Examining Committee members will review the entire application package for final approval.

In the event that an applicant is approved to take the DACBN exam and does not pass it within the allowed opportunities, ACBN may conduct additional reviews of the candidate's application to understand if there were any application deficiencies that may have been missed in the initial review.

### *Failure to Demonstrate Eligibility*

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Applicants who fail to demonstrate that they meet any of the eligibility requirements will not be permitted to take the exam.

# Certificant's Agreement

Policy Number: 203

Date Approved: 11/3/16

Date(s) Revised: 10/31/16

## *Introduction*

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The ACBN Certificant's Agreement applies to all DACBN applicants, candidates, and certificants. Applicants will attest to the professional responsibilities outlined in the Agreement as part of the application process for initial certification. Disciplinary action as outlined in the Disciplinary Policy may result from a violation of any portion of Certificant's Agreement. The Certificant's Agreement will be publicly available.

## *Purpose*

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The Certificant's Agreement establishes the basic ethical guidelines for professional behavior and standards of practice of the ACBN. It applies to all DACBN prospective and current certificants.

## *Certificant's Agreement*

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ACBN provides a certification program for postdoctoral, licensed healthcare providers who practice clinical nutrition in their patient services. Certificants are required to follow the standards for professional and ethical practice as outlined in the Agreement. Failure to follow these requirements or inform ACBN of changes to professional status as outlined in these requirements may result in revocation of the credential in accordance with the ACBN Disciplinary Policy.

The Agreement is found on the ACBN web site at <http://www.acbn.org/agreement.pdf>.

# Summary of Certification Activities

Policy Number: 204

Date Approved: 11/3/16

Date(s) Revised: 10/31/16

ACBN will publish a summary of certification activities annually, so that a history of summary statistics is publically available. The published information will include the number of candidates who took the DACBN exam, the pass/fail statistics, and the number of those currently DACBN-certified. Other aggregate data may also be published as appropriate.

# **Nondiscrimination**

Policy Number: 205

Date Approved: 11/3/16

Date(s) Revised: 10/31/16

ACBN does not discriminate against any applicant or candidate for certification/recertification on the basis of race, color, creed, age, gender, national origin, religion, disability, family status, ancestry, sexual orientation, or any other legally protected status. All applicants/candidates will be evaluated only on the published eligibility criteria for the certification.

# Accommodations for Candidates with Disabilities

Policy Number: 206

Date Approved: 11/3/16

Date(s) Revised: 10/31/16

## *Requests*

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ACBN complies with all requirements of the Americans with Disabilities Act (ADA) and other applicable federal and state laws. ACBN aims to provide an equitable testing opportunity for candidates to demonstrate the knowledge and skill measured by the examination. As such, ACBN will accommodate reasonable accommodation requests for those with a documented disability.

Applicants requesting a testing accommodation in accordance with the ADA should complete the Accommodations Request Form, found on the website, and include it with the exam application. Applicants requesting an accommodation should submit the application and request form at least three months prior to the exam date to allow proper time for ACBN to review the request and make preparations for the accommodation.

Appropriate documentation, such as an official, signed letter from a licensed healthcare provider confirming the disability and recommending a specific, reasonable accommodation, must be submitted with the request. The ACBN treats this information with strict confidentiality and it will not be shared with any source, without candidate's express written permission.

## *Request Processing*

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Once ACBN receives an application that includes a Request for Accommodations form, ACBN Staff will evaluate the request to ensure that the form is complete and the required documentation is included. Staff may work with the test development/administration vendor or other consultant to determine what accommodations can be provided to meet the request. ACBN Staff may also request a review by the Executive Board to help determine how to proceed with the accommodation request.

ACBN Staff will ensure that the designated proctor(s) is aware of the accommodation being provided and any of the proctor's responsibilities in delivering the accommodation. ACBN Staff will contact the applicant directly to confirm the determination of the request and advise how the accommodation will be administered.

# Use of Certification Mark

Policy Number: 207

Date Approved: 11/3/16

Date(s) Revised: 10/31/16

## *Proper Use of Credential*

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After a candidate receives written notice that he/she has earned the DACBN designation, the certificant may use the credential for as long as certification is maintained as active and in good standing. By the specified date, certificants must complete the recertification requirements to remain an active certificant in good standing.

Proper use of the credential includes displaying it in capital letters after a certificant's name, following any academic degree and licensure, such as John Doe, M.D., DACBN.

Use of the certification mark is only allowed in published materials, etc. and is only allowed during the time in which the certification is valid. Upon revocation or lapse of certification, individuals must discontinue use immediately.

Certificants who are retired and are not in active practice may hold the Emeritus status after providing sufficient evidence and receiving permission from ACBN to do so. Therefore, the individual would list his/her name as John Doe, M.D., DACBN-Emeritus.

## *Certificates*

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Candidates who pass the ACBN examination will receive an official certificate within three months of the completion of scoring. Certificates will include the name, date of initial certification and a statement that the credential must be renewed annually. New certificants will also be added to the ACBN's published list of certificants as described in the Confidentiality Policy within three months of the completion of scoring.

# Recertification

Policy Number: 208

Date Approved: 11/3/16

Date(s) Revised: 10/31/16

## Purpose

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Since all certificants are physician-level providers; and it is reasonable to assume that they desire an active credential since they are engaged in some combination (any or all) of active clinical practice, research, and or teaching/academics, which exposes them to situations where the *most current* information is valuable to accomplishing those activities; therefore, annual, mandatory completion of 12 or more classroom hours of approved CE and/or doing the necessary investigation (review of current research and literature) to publish or teach is appropriate to maintain active certification.

ACBN requires certificants complete recertification activities each year of their two-year certification cycle to ensure that Diplomates stay abreast of advances in the ever-changing field of clinical nutrition. Fulfilling the recertification requirements ensures that certificants complete professional development activities that are within the scope of the DACBN credential and provide a means for certificants to enhance their competency in clinical nutrition. ACBN defines continuing competency as demonstrating specified levels of knowledge, skills, or the ability not only at the time of initial certification, but throughout an individual's professional career.

## Requirements and Timeline

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Recertification of the DACBN credential is required every year with completion of Year A or Year B requirements and payment of the recertification fee by December 31 of each year. Certificants must alternate their CE activities between the Year A and Year B requirements.

New certificants' first educational recertification cycle begins the year following that in which they pass the exam. For example, if a candidate takes and passes the exam in June 2016, the first educational recertification begins the following year and will be due by December 31, 2017. Recertification fees are pro-rated according to the month the doctor receives the DACBN status.

Certificants must meet the following recertification requirements in order to maintain the designation in good standing:

1. Pay the annual certification fee.
2. Satisfy annual educational requirements on an alternating basis of Year A and Year B:
  - a. Year A: Attend at least one ACBN-approved educational seminar to earn a minimum of 12 CE credits
  - b. Year B: Complete at least one of the following activities that demonstrates maintaining continuing competence in clinical nutrition:
    - i. Teach clinical nutrition at an accredited college, university, or other institution for a minimum of 12 credit hours. Typical courses are considered three (3) credit hours each, and so the requirement is met by teaching four (4) clinical nutrition courses (generally). If the certificant earns partial credit for this activity, the remainder can be made up by attending a nutritional seminar for the required number of credit hours (activity iv);

- ii. Submit a paper on nutrition for publication with a minimum of 10 references eligible for review by a 5-person Editorial Review Board for accuracy, correct terminology, and quality writing. If approved the paper is submitted for publication in an approved nutritional journal such as those listed in the initial eligibility requirements. If not approved, the paper is returned to the author for revision;
  - iii. Submit at least two case studies with accurate content and proper referencing for review by the Editorial Review Board; or,
  - iv. Attend a nutrition seminar sponsored by an accredited college, university or other institution or an institution with a reciprocal agreement with an accredited university for 12 credit hours. This seminar is not required to be ACBN-approved.
3. Hold a professional healthcare doctorate in good standing and with no disciplinary actions.
  4. Doctors who formerly held the Diplomate of the American Clinical Board of Nutrition Status, and failed to pay their recertification fee, resulting in loss of their DACBN, may be reinstated by completing the full application, paying the exam fee and showing they have continued to meet their educational requirements for at least the last five years by sending in certificates of attendance or transcript from those years. Also, a nutritional article with at least ten (10) references must be received within six (6) weeks of application.

Those who do not meet the recertification requirements will receive a letter stating such and advising the individual that they no longer hold the credential and are not authorized to use the DACBN for professional or personal purposes. Per the Recertification reminder letters, certificants can send in the fee until January 31 for no extra fee and between January 31 and February 28 with an additional \$500 fee.

### *Rationale*

Due to the advances in the ever-changing field of clinical nutrition, the ACBN requires that CE activities are completed each year.

- a. The Year A requirement ensures that the certificant is up to date on current nutrition trends and protocol to ensure the health and safety of the public.
- b. The Year B CE options demonstrate continued competence as follows:
  - i. Teaching a clinical nutrition course at an accredited institution demonstrates continued competency and knowledge of current nutrition procedures, protocol, and trends.
  - ii. The ability to research and write a nutritional paper suitable for publication demonstrates a certificant's knowledge and continued competence of current clinical nutrition topics.
  - iii. The ability to research and write two case studies demonstrates a certificant's knowledge and continued competence of current clinical nutrition topics.
  - iv. Participating a clinical nutrition course at an accredited institution demonstrates continued competency and knowledge of current nutrition procedures, protocol, and trends.
  - v. Doctors who did not pay their recertification fee for the ACBN, but continued to meet their Educational Requirements may regain their DACBN by showing proof

of meeting their educational requirements for at least the past five years and paying their current DACBN recertification fee. They have already taken and passed the written exam. They will be required to complete all application paperwork, submit a nutritional paper, pay their fee and continue to maintain their DACBN as put forth in the P&Ps.

### *Approved Providers*

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In adherence with the Year A recertification requirements, candidates must complete an ACBN-approved nutrition seminar for at least 12 CE credits. To be considered for approval, the sponsoring organization must submit the Seminar Application form. The seminar must meet the following criteria:

1. Submitted to ACBN for approval 30 days prior to the event;
2. Sponsored by an accredited college, university or other organization or by an organization with a reciprocal agreement with an accredited college, university, or other organization
  - a. Required Documentation: letter from the organization describing its sponsorship of the event, the number of approved credits for participants, and the states CE applies to, if applicable;
3. Demonstrate that the event's speakers have sufficient expertise in the subject matter presented
  - a. Required Documentation: Speaker's CV and documentation including the content of the speaker's lecture and corresponding credit hours and any potential conflict of interest, such as mention of a product or service during the presentation for which the speaker has a professional or personal interest
4. Include applicable administrative fees

Once ACBN Staff confirms receipt of the form, documentation, and fees, the application and documentation will be turned over to the Programs Review Committee which will review and issue a decision as to the acceptability of the course. If accepted, the seminar and a web site link will be published on the web site as an approved seminar for certificant reference.

### *Certification Status*

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A certificant's failure to complete all recertification requirements and pay applicable fees following the required timeline will result in loss of the DACBN credential. Certificants whose active certification status is allowed to lapse must stop use of the DACBN designation immediately.

If an illness or extenuating circumstance prevents a certificant from completing the recertification requirements on time, the Board may allow the certificant an extension, in accordance with the Inactive Status policy and on a case-by-case basis. The request to do so must be made in writing and will be evaluated by the Recertification Committee which will provide a recommendation to the Board for action.

### *Limitations*

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While not all forms of continuing education provide equal professional development, ACBN aims to make best use of a certificant's continuing education opportunities by approving providers/seminars that are evaluated for quality and relevancy as part of the recertification requirements. Regardless of the source, all credits earned must be applicable to the field of clinical nutrition.



# Recertification Application Processing

Policy Number: 209

Date Approved: 11/3/16

Date(s) Revised: 10/31/16

## *Reporting Recertification Activities*

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Certificants receive notice of the educational and financial requirements of maintaining certification after initially earning the DACBN credential. The requirements are also available on the web site. Candidates who have not met the educational requirements by July for the current year receive a reminder letter, a follow up letter in November, and a final letter in December. Diplomates receive a notice of fees due statement in October, November, and December each year.

## *Verification Process*

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Diplomates who are completing Year A requirements must mail or email to ACBN the certificate of attendance or college transcript from the completed educational seminar which should include the name and address of the individual, title of the course, sponsoring institution, number of hours completed, date, and location. ACBN will confirm that the seminar is an approved ACBN seminar for the Year A requirement. Completion of a seminar for the Year A requirement that is not pre-approved as indicated on the ACBN web site does not meet the requirements.

Diplomates who are completing Year B requirements must email ACBN the following documentation depending on the CE activity chosen as outlined in the Recertification Requirements policy:

- Teaching: Provide the seminar title and date, the college or university at which it was held
- Writing Submission: Writing submission is submitted with required references and reviewed by the Editorial Review Board
- Case Studies: Two (2) case study are submitted with citations as required and then reviewed by the Editorial Review Board
- Seminar: Provide the seminar title and date, the college or university at which it was held, a transcript or letter of attendance, and must sign in/out at the seminar. The seminar is reviewed by the Programs Review committee and approved or not approved.

## *Recertification Acceptance*

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Diplomates who successfully complete all recertification requirements for the year will receive a letter of confirmation stating that the requirements have been met. Those who do not meet the recertification requirements will receive a letter stating such and advising the individual that they no longer hold the credential and are not authorized to use the DACBN for professional or personal purposes.

# Disciplinary and Complaints Policy

Policy Number: 210

Date Approved: 11/3/16

Date(s) Revised: 10/31/16

## Introduction

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To maintain the credibility of the DACBN certification program and the ACBN organization, the organization offers a process for individuals to lodge complaints regarding the conduct of applicants, candidates, or certificants of the certification program. In the case of a violation of certification policies and procedures, requirements, or professional conduct by a certificant, the ACBN follows the procedures outlined in this policy to reprimand, suspend, or revoke the certification of the individual.

Actions taken under this policy do not constitute enforcement of the law, although referral to appropriate federal, state, or local government agencies may be made about the conduct of a certificant, if appropriate. Individuals bringing complaints to the ACBN do not receive any retribution through this process but will receive notice of the actions taken in response.

Information regarding the complaint process will be publicly available.

## Grounds for Sanctions

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The grounds for sanctions may include, but are not limited to:

1. Violation of examination rules and procedures, including cheating
2. Violation of established certification program policies, rules and requirements
3. Revocation or other restrictions on an individual's professional license
4. Conviction of a felony or other crime of moral turpitude under federal or state law in a matter related to the practice of, or qualifications for, providing clinical nutrition and/or other healthcare services
5. Gross negligence, willful misconduct, or other unethical conduct in the performance of services for which the individual has achieved or is seeking DACBN certification
6. Fraud or misrepresentation in an initial application or renewal application for certification or other information requested by ACBN
7. Misrepresentation of the DACBN designation

## Complaints

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Complaints regarding a certification program applicant, candidate, or certificant may be submitted by any individual or entity. Complaints should be sent to the ACBN office in writing to be forwarded to the Executive Board. The complaint must include the name of the person submitting the complaint, the name of the person the complaint is regarding, along with other relevant identifying information, a detailed description of factual allegations supporting the charges, and any relevant supporting documentation. Information submitted during the complaint and investigation process is considered confidential and will be handled in accordance with the Executive Board's confidentiality policy. Inquiries or submissions other than complaints may be reviewed and handled by the ACBN certification program at its discretion.

Upon receipt and preliminary review of a complaint involving the certification program, ACBN Staff, in consultation with the Executive Board President, may conclude, in their sole discretion, that the submission:

1. Contains unreliable or insufficient information, or
2. Is patently frivolous or inconsequential.

In the later instance, the President and ACBN Staff may determine that the submission does not constitute a valid and actionable complaint that would justify bringing it before the full Executive Board for investigation and a determination of whether there has been a violation of substantive requirements of the certification process. If so, the submission is disposed of by notice from ACBN Staff to its submitter. All preliminary dispositions are reported to the Board at its next meeting.

Preliminary review will be conducted within 30 business days of receipt of the complaint.

If a submission is deemed by ACBN Staff and Board President to be a valid and actionable complaint, the President shall see that written notice is provided to the individual whose conduct has been called into question, and that the individual is given the opportunity to respond to the complaint. The President also shall ensure that the individual submitting the complaint receives notice that the complaint is being reviewed by the Executive Board.

### *Complaint Review*

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For each complaint that the President concludes is a valid and actionable complaint, the Executive Board authorizes an investigation into its specific facts or circumstances to whatever extent is necessary in order to clarify, expand, or corroborate the information provided by the submitter. The Grievance Committee is responsible for adjudicating written grievances about a certificant or Board member.

The Grievance Committee includes the Committee Chair (DACBN-certified) and two additional DACBN-certified individuals, a public member, and an Executive Board or Examining Committee member who serves as the committee liaison to the Executive Board.

The committee will meet to investigate and make an appropriate determination with respect to each valid and actionable complaint. The Grievance Committee may review one or more such complaints at a meeting, as determined by the President. The Grievance Committee initially determines whether it is appropriate to review the complaint under these Procedures or whether the matter should be referred to another entity engaged in the administration of law. The timeline for responses and for providing any additional information shall be established by the Grievance Committee. The Grievance Committee may be assisted in the conduct of its investigation by ACBN staff and/or legal counsel. The Executive Board President exercises general supervision over all investigations.

Both the individual submitting the complaint and the certificant who is the subject of the investigation (or his or her employer) may be contacted for additional information with respect to the complaint. The Grievance Committee, or ACBN Staff on its behalf, may at its discretion contact such other individuals who may have knowledge of the facts and circumstances surrounding the complaint.

All investigations and deliberations of the Grievance Committee and the Executive Board are conducted in confidence, with all written communications sealed and marked "Personal and Confidential," and they are conducted objectively, without any indication of prejudgment. An investigation may be directed toward any aspect of a complaint which is relevant or potentially relevant. Formal hearings are not held

and the parties are not expected to be represented by counsel, although the Grievance Committee and Executive Board may consult their own counsel.

Members of the Grievance Committee shall be reimbursed for reasonable expenses incurred in connection with the activities of the Committee.

### *Determination of Violation*

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Upon completion of an investigation, the Grievance Committee recommends whether the Executive Board should make a determination that there has been a violation of certification program policies and rules. When the Grievance Committee recommends that the Executive Board find a violation, the Grievance Committee also recommends imposition of an appropriate sanction. If the Grievance Committee so recommends, a proposed determination with a proposed sanction is prepared under the supervision of the President and is presented by a representative of the Grievance Committee to the Executive Board along with the record of the Committee's investigation.

If the Grievance Committee recommends against a determination that a violation has occurred, the complaint is dismissed with notice to the involved individual and the individual or entity who submitted the complaint; a summary report is also made to the Executive Board.

The Executive Board reviews the recommendation of the Grievance Committee based upon the record of the investigation. The Executive Board may accept, reject, or modify the Grievance Committee's recommendation, either with respect to the determination of a violation or the recommended sanction to be imposed. If the Executive Board makes a determination that a violation has occurred, this determination and the imposition of a sanction are promulgated by written notice to the involved individual, and to the individual submitting the complaint, if the submitter agrees in advance and in writing to maintain in confidence whatever portion of the information is not made public by the Executive Board.

The applicant, candidate, or certificant's employer will be notified when a complaint is dismissed following an investigation or when a determination is made that a violation has occurred:

1. If the employer was involved in the investigation
2. At the discretion of the Grievance Committee and Executive Board if the employer was not involved in the investigation but the Grievance Committee and Executive Board determine that employer notification is appropriate.

In certain circumstances, the Executive Board may consider a recommendation from the Grievance Committee that the individual who has violated the certification program policies or rules should be offered an opportunity to submit a written assurance that the conduct in question has been terminated and will not recur. The decision of the Grievance Committee to make such a recommendation and of the Executive Board to accept it are within their respective discretionary powers. If such an offer is extended, the applicant, candidate, or certificant at issue must submit the required written assurance within 30 days of receipt of the offer, and the assurance must be submitted in terms that are acceptable to the Executive Board. If the Executive Board accepts the assurance, notice is given to that individual's employer (if the Grievance Committee and Executive Board determine employer notification is appropriate) and to the submitter of the complaint, if the submitter agrees in advance and in writing to maintain the information in confidence.

## Sanctions

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The sanction imposed upon an individual whom the Executive Board has determined to have violated the policies and rules of its certification program must reasonably relate to the nature and severity of the violation, focusing on reformation of the conduct of the member and deterrence of similar conduct by others. Any of the following sanctions may be imposed by the Executive Board upon an individual:

1. written reprimand;
2. suspension of the certificant for a designated period; or
3. suspension of applicant's ability to submit an application for certification/examination; or
4. termination of the individual's certification; or
5. termination of the individual's certification application status including prohibiting the individual from applying for certification in the future.

For sanctions that include suspension or termination, the published list of ACBN certified individuals will be updated to reflect that the individual's certification is not current and in good standing. Other ACBN publications may also indicate a change in the standing of the involved individual.

Reprimand in the form of a written notice from the President normally is sent to the involved individual who has received his or her first substantiated complaint. Suspension normally is imposed on an individual who has received two substantiated complaints. Termination normally is imposed on an involved individual who has received two substantiated complaints within a two year period, or three or more substantiated complaints. The Executive Board may at its discretion, however, impose any of the sanctions, if warranted, in specific cases.

Certificants who have been terminated shall have their certification revoked and may not be considered for certification in the future. If certification is revoked, any and all certificates or other materials requested by the Executive Board must be returned promptly to the Executive Board.

## Appeal

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Within thirty (30) days from receipt of notice of an adverse determination by the Executive Board that an individual violated the certification program policies and/or rules, the affected individual may submit a request for an appeal. Appeal requests must be submitted in writing to the Executive Board.

Upon receipt of a request for appeal, the President establishes an appellate body consisting of at least three (3), but not more than five (5), DACBN certified individuals. This Appeal Committee may review one or more appeals, upon request of the President. No current members of the Grievance Committee or the Executive Board may serve on the Appeal Committee; further, no one with any personal involvement or conflict of interest may serve on the Appeal Committee. Members of the Appeal Committee may be reimbursed for reasonable expenses incurred in connection with the activities of the Committee.

The Appeal Committee may only review whether the determination by the Executive Board of a violation of the certification program policies and/or rules was inappropriate because of:

1. material errors of fact, or
2. failure of the Grievance Committee or the Executive Board to conform to published criteria, policies, or procedures.

Only facts and conditions up to and including the time of the Executive Board's determination as represented by facts known to the Executive Board are considered during an appeal. The appeal shall not include a hearing or any similar trial-type proceeding. Legal counsel is not expected to participate in the appeal process, unless requested by the appellant and approved by the Executive Board and the Appeal Committee. The Executive Board and Appeal Committee may consult legal counsel.

The Appeal Committee conducts and completes the appeal within sixty (60) days after receipt of the request for an appeal. Written appellate submissions and any reply submissions may be made by authorized representatives of the involved individual and of the Executive Board. Submissions are made according to whatever schedule is reasonably established by the Appeal Committee. The decision of the Appeal Committee either affirms or overrules the determination of the Executive Board, but does not address a sanction imposed by the Executive Board. The decision of the Appeal Committee, including a statement of the reasons for the decision, is reported to the Executive Board.

The Appeal Committee decision is binding upon the Executive Board, the individual who is subject to the sanction, and all other persons.

### *Resignation*

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If an individual who is the subject of a complaint voluntarily surrenders his or her certification (or in the case of an applicant, surrenders his or her ability to apply for certification in the future) at any time during the pendency of a complaint under these Procedures, the complaint is dismissed without any further action by the Grievance Committee, the Executive Board, or an Appeal Committee established after an appeal. The entire record is sealed and the individual may not reapply for certification. However, the Executive Board may authorize the President to communicate the fact and date of resignation, and the fact and general nature of the complaint which was pending at the time of the resignation, to or at the request of a government entity engaged in the administration of law. Similarly, in the event of such resignation, the certificant's employer (if deemed appropriate by the Executive Board) and the person or entity who submitted the complaint are notified of the fact and date of resignation and that Executive Board has dismissed the complaint as a result.

### *Annual Report of Complaints*

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The Committee Chair is responsible for providing a brief, annual report to summarize any complaints received and the action taken.

# Examination Development and Ongoing Maintenance

Policy Number: 300

Date Approved: 11/3/16

Date(s) Revised: 10/31/16

The Executive Board oversees the certification program's examination development and ongoing maintenance and appoints the Examining Committee to work with qualified psychometric consultants in order to ensure that the development and continuous maintenance of the examinations are conducted under generally accepted psychometric practices and national accreditation standards for certification programs. The Written Examination is 150 questions with multiple choice answers. There are four possible answers with only one correct answer.

The ACBN examination is intended to evaluate the competence of qualified health care providers in the field of clinical nutrition. The test addresses current areas defined and validated by subject-matter experts, educators and individuals working in their respective fields.

## *Subject Matter Experts*

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Consistent with the responsibilities of the Examining Committee, subject matter experts (SMEs) who contribute to exam development are selected to represent the certified population in terms of expertise and experience level, specialty area, and demographic characteristics.

SMEs are appointed as needed to committees or other work groups by the Executive Board President. Members of the Board are eligible to participate as SMEs, except for the public member who is eligible to participate in examination development activities as an observer. To act as an ACBN SME, an individual must meet the minimum requirements for eligibility for the DACBN credential. A SME may not teach classes or in any way participate in the development or administration of the 300-hour nutrition education program.

SMEs who serve as item writers are expected to attend initial training sessions, which are conducted by experience ACBN volunteers and/or ACBN's psychometric consultant, to learn how to write and document exam questions, as well as follow up training at least every three years to maintain and enhance these skills.

SMEs participate throughout the test development process. While some SMEs may participate in more than one test development activity, the same SMEs are not to be used by all committees. In some cases, such as item writing and item review, overlap is not acceptable. For example, the same SME cannot both write and review/approve an item.

## *Job Analysis Studies*

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Job analysis studies will serve to identify and validate the knowledge and skills assessed by the examination of the DACBN credential. The results of the job analysis are the basis for the examination. The ACBN will conduct a job analysis for the DACBN certification program every five years. This determination is based on the size of the candidate pool and the rate of change in the field of clinical nutrition.

## *Examination Specifications*

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The DACBN examination content outline and corresponding content area weights are determined by the results of the Job Analysis Study. The final content outline and corresponding content weights will be approved by the Executive Board after recommendation by the Job Analysis Committee.

The Executive Board will work with the psychometric consultant to develop the time limit parameters for the exam. The time limit should allow sufficient time to complete the exam without providing unnecessary additional time which could jeopardize the security of the exam.

### *Item Writing and Review*

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Exam item development must be directly linked to the approved content outline. SME groups write or review all exam items, only after having:

- Completed required item writing training
- Submitted a signed confidentiality agreement
- Received the ACBN item writing manual
- Received the ACBN list of suggested subject-matter references

Once a SME writes an item, it will be reviewed by at least one other SME and the psychometric consultant. After any necessary edits and a satisfactory review, the item is added to the item bank. Items are reviewed a second time before being included in a test form (see Examination Assembly and Approval).

### *Item Bank*

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The Item Writing committee is responsible for maintaining an item bank that includes all items developed for the examinations. Data for each item stored in the item bank includes: current status (e.g. new, active, inactive), correct answer key, content outline linkage, supporting reference, and performance statistics.

The Item Writing committee Chair is responsible for overseeing maintenance of the item bank.

### *Examination Assembly and Approval*

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A draft examination based on the current content outline will be assembled by the Item Writers Committee and reviewed by the Examining Committee and Executive Board. Each draft will meet the requirements of the test specifications with respect to content and weighting. The Executive Board, Examining Committee, and Item Writing Committee review the current exam form and remove outdated items as well as items that are poorly performing based on item-level statistics. The number of items replaced will be determined by how many candidates have taken the exam. New items are added to the exam form from the item bank as to ensure adherence to the exam content outline. Any new questions that are written for the exam are reviewed by the Examining Committee. No one reviews or approves their own items. The Item Writers Committee will provide a draft version of the Exam and the Examining Committee and Executive Board will review the final version of the exam for approval.

### *Establishing a Passing Point*

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ACBN with its psychometric consultant establish scoring procedures and processes. The Angoff Method is used.

### *Equating*

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The DACBN certification examination is aligned to test specifications based on the results of the 2015 Role Delineation *Study*. Prior to 2016, the examination conformed to the test specifications based on the results of the Role Delineation Study that was conducted in 2010. Subsequent examination forms will be developed to conform to the test specifications to ensure content equivalence among the forms. The 2016 examination is based on the test specifications from the 2015 Role Delineation Study, the pass point for the new examination will be based on the results of a criterion-referenced passing point study.

Statistical equating has not been used for the following two reasons: 1) a small number of candidates test annually, and 2) because of the type of test delivery model that is employed, as testing is conducted on demand throughout the year. In 2015, a total of 15 candidates sat for the examination. In 2014, a total of 3 candidates sat for the examination.

### *Test Analysis and Technical Reports*

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ACBN's psychometric consultant will develop the technical reports at the end of each year to reflect the testing conducted from January 1 – December 31. The Executive Board and Examining Committee will review the reports to study the exam's reliability and effectiveness and define any opportunities for revision or improvement. The technical reports will include, but are not limited to the following information: exam length, administration time, the number of candidates testing, the number of scored items, the number or proportion of new/used items, pass/fail percentages, the passing point, measures of average performance, measures of performance variability, reliability indices, and any recommendations included by the psychometrician.

# Examination Administration

Policy Number: 301

Date Approved: 11/3/16

Date(s) Revised: 10/31/16

## *Format*

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The DACBN examination is 150 multiple-choice questions. The exam is given by paper and pencil administration at testing sites determined by the ACBN. The exam is divided into two parts of 75 questions each, Part I and Part II, and 1 ½ hours is allowed to complete each part with a 15 minute break between the two parts. The examination application, fee, deadlines, and other information is published in the Candidate Handbook and on the web site.

Candidates use Scantron sheets to enter their answer selections. Once the ACBN receives the sheet, it is hand scored. ACBN will perform hand-scoring if any irregularities or other circumstances warrant it or if an official request and hand-scoring fee is submitted by the candidate within 60 days of the release of scores

## *Testing Sites*

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The DACBN examination may be given in a legal office, accredited college/university, or library. All examination sites meet the following criteria:

- Examination rooms will be quiet and free of disruption
- Rooms will have adequate and comfortable ventilation, lighting, and temperature
- All exam administrations will be monitored by approved proctors as noted below
- Adequate seating space will be provided for the written exam to reduce distractions and so that test candidates cannot see each other's work (four feet apart in every direction)
- Entrances/exits will be monitored/controlled and working fire exits will be available
- A clock will be visible for all test candidates
- The test site will be accessible in compliance with the ADA
- Candidates will have access to water and restroom facilities

An ACBN representative may visit an examination site at any time to ensure its compliance with ACBN policies and procedures.

## *Proctors*

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Before proctoring an exam, ACBN proctors will receive an introduction letter and the proctor instructions which outline the administration requirements and the testing process. The proctor will sign an attestation to uphold the policies and procedures of the ACBN and the exam administration rules. Proctors also sign a Confidentiality and Conflict of Interest agreement and are asked to disclose any interest in other nutrition organizations, schools or nutritionally-related companies that supply nutritional products. Training of exam administration rules is facilitated by ACBN Staff in consultation with the psychometric consultant if needed. A letter of introduction is included with the exam materials as well.

Every examination administration will be monitored by at least one qualified proctor at designated testing locations. Executive Board Members and Committee Members are not allowed to act as

proctors. The exam may be proctored by a proctor supplied by the postgraduate division of an accredited college, a proctor provided by a library, or a proctor at a legal office.

Proctors at each test site will:

- Sign a confidentiality and conflict of interest agreement and the proctor's agreement
- Manage candidate sign-in and verify candidate identity
- Administer pre-approved ADA accommodations as directed by ACBN Staff
- Address any candidate or other site problems as needed
- Maintain the confidentiality of the DACBN exam before, during, and after administration and ensure that all test materials are returned to ACBN
- Report any exam-related incidents or security concerns directly and promptly to ACBN Staff

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### *Proctor Training*

Before proctoring an exam, ACBN proctors will receive an introductory letter and the proctor instructions which outline the administration requirements and the testing process. The proctor will sign an attestation to uphold the policies and procedures of the ACBN and the exam administration rules. Proctors also sign a Confidentiality and Conflict of Interest agreement. Training will be facilitated by ACBN Staff in consultation with the psychometric consultant. A letter of introduction is included with the exam materials as well.

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### *Examination Admission*

Each candidate authorized to sit for the ACBN examination will receive an authorization-to-test letter containing a four (4) digit personal identification number (PIN). This number is to be used on all tests, forms and test results. During the actual examination, name badges will be provided and worn by the candidates for the proctor's ability to identify each person authorized to be in the room. The name badge will not have the candidate's PIN number but will supply the candidate's name and picture for identification purposes only.

Candidates arriving at the examination site, prior to receiving their name badge and before entering the examination room, must present to the proctors at least two forms of identification; one of these must be a government-issued, photo ID, such as a passport, driver's license, or military identification. The secondary form of identification may include any of the above or a credit card. Examinees not providing acceptable identification will be refused admission to test and will be required to pay a re-examination fee and reschedule the testing appointment. Proctors are responsible for maintaining the security and confidentiality of the examinations which will be mailed by sealed, traceable means to/from ACBN and the proctor.

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### *Examination Day*

The following rules are enforced on exam day:

- Candidates may not bring personal belongings to their workstation on exam day. Any personal belongings, including coats, handbags, backpacks, cell phones, electronic devices, and other items, must be left at the front of the room with the proctor and may not be accessed during the exam. Candidates are advised to leave as many of their personal belongings in their cars or at home as possible.
- Cell phones and electronic devices must be turned off and stowed with the proctor. The use of these is prohibited in the testing area.

- Candidates are advised to visit the restroom before entering the exam room. A candidate who must use the restroom during the exam period, will be escorted by one of the proctors. Only one candidate may use the restroom at a time.
- Food, drinks, and tobacco are not permitted in the testing room.
- Caps with bills may not be worn during the testing session.
- No testing materials may be taken from the room. All test materials must be returned to the proctor at the end of the session.
- Late arrivals are not admitted.
- Breaks: Candidates are allowed a 15 minute break between Parts I and II of the exam. Candidates are monitored during the break to ensure there is no communication or unauthorized behavior. If only one candidate is testing, he/she may elect to skip the break and continue with Part II of the exam.

### *Score Reporting*

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Following scoring of the examination, candidates will receive a letter notifying them of their examination performance within six to eight weeks of completion of the exam.

Passing candidates receive a letter indicating their exam score relative to the passing score. Certificates will also be mailed to passing candidates within three months of exam scoring.

Candidates who have failed will receive a letter indicating their exam scores relative to the passing score. They will be advised they may re-examine in 30 days.

### *Irregularities*

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#### **Candidate Behavior**

Proctors are given specific instructions regarding cheating. Such behavior includes, but is not limited to candidates: copying from one another or speaking to one another during the test administration, using study notes or other information, copying or reproducing any test materials, or removing or attempting to remove test materials from the exam room.

If a proctor is witness to such behavior, he/she will allow the examinee to finish that part of the examination so as not to disturb other test takers. Once the exam part is completed, the proctor will immediately gather up all test materials from the examinee in question and advise them of the infraction. This will conclude the candidate's testing session. If the ACBN reviews and confirms the allegations of inappropriate behavior, the examination will not be graded. Depending on the circumstances and severity of the inappropriate behavior, ACBN and the Executive Board have the right to refuse an additional testing opportunity for the candidate.

#### **Site and Other Irregularities**

If irregularities occur at the testing site that may jeopardize the requirements of a testing location, such as a power outage, noise interruption, loss of temperature control, etc., the proctor must notify ACBN of the issue in writing immediately following the testing session. ACBN, in consult with the psychometric expert, will determine if the candidate(s) should be offered an additional testing opportunity, at no charge. The candidate(s) will be notified accordingly.

### *Inclement Weather or Other Circumstances*

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In case of inclement weather or other circumstances which jeopardize the security of the exam and/or the safety of the candidate or proctor, the exam session may be cancelled with as much notice as is possible. If the proctor perceives an issue, the proctor must contact ACBN to proceed with cancellation. ACBN Staff will verify the circumstance and notify candidates by phone or email. The exam will be rescheduled at a time and place agreeable to all parties, at no charge to the candidate(s).

If a candidate has an immediate emergency, such as the death of an immediate family member or severe illness of the test-taker, the candidate will contact ACBN within 48 hours of the scheduled testing session. ACBN will contact the proctor and advise of the cancellation, at which point, the proctor will return all of the candidate's testing materials to ACBN. Notifications within 48 hours of the scheduled testing session will be evaluated on a case-by-case basis. In all situations, ACBN may require documentation to confirm the emergency. For approved emergency situations, the candidate will be allowed to reschedule once without an additional fee.

### *Exam Retakes*

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A candidate who fails the exam may retake the exam up to three times within three years of the initial application date. Each exam retake request must be made in writing to ACBN and requires a \$250 retake fee. Because candidates are not provided with information about which questions they answered correctly/incorrectly, candidates are allowed to retake the exam after a 30-day waiting period.

A candidate may petition the Executive Board after the fourth attempt for a final testing opportunity within the eligibility period; however, the candidate must provide evidence of having a preceptorship by a DACBN-certified individual for at least one year and receive a letter of recommendation for the exam from the preceptor.

A candidate who fails after this final attempt must reapply for the exam and pay the full application fee after having completed an additional 100 hours of nutrition education as acceptable to the Board.

### *Examination Related Complaints*

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Any behavior or incident having a negative impact on candidate performance must be brought to the attention of the proctor at the time of the exam. Additionally, the candidate must send written notification of the behavior or incident to ACBN Staff to be forwarded to the Executive Board within 10 business days of the exam date via USPS mail or email. The written notification must state the specific details of how the incident negatively impacted the candidate's performance. Appeal requests will be reviewed by the Executive Board, and the ACBN will provide a written response to the candidate within 60 business days of the receipt of the complaint. The decision of the Executive Board is final.

# Security

Policy Number: 302

Date Approved: 11/3/16

Date(s) Revised: 10/31/16

## *Confidential Documents*

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Confidential information is defined in the confidentiality policy. All confidential information will be retained in a secure manner as required by this policy.

Certification exams, role delineation studies, cut score reports, item banks, answer keys, and all other exam development documents are confidential and the sole property of ACBN.

## *Access*

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Access to confidential/secure materials (both printed and electronic) will be limited to only those staff, Board members, and subject matter experts who need to view the information. These individuals will sign a confidentiality agreement before being granted access to any confidential information.

Any outside companies, vendors, consultants or contractors given access to confidential information will be required to maintain strict security of all confidential materials.

## *Physical Security*

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After the examination is given, the proctor then sends the exam packet and answer sheets to ACBN headquarters. As of January 1, 2017 return receipt is required.

Confidential materials will be stored in locked file cabinets at all times. Office areas containing confidential files will be secured when not occupied by authorized personnel. All exam information is stored in a secured safe.

## *Electronic Security*

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Routine backups are performed continuously for all electronic data and backup data will be stored in the cloud.

If confidential documents are transmitted via email, or other electronic means, the electronic files will be secured with a password before being sent. Confidential materials stored on CD-ROM or similar media will be password protected.

Confidential materials stored on ACBN servers and hard drives will have limited, password protected access for authorized certification program personnel only. Personal computers/laptops will be password protected.

## *Exam Administration*

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The Board will ensure that the examination is administered at secure and standardized test sites to ensure a fair and consistent testing experience for all candidates.

Examination time limits will be developed by the ACBN in consultation with the testing/psychometric consultant. Time limits will allow sufficient time for completing the exam without providing unnecessary additional time that could facilitate security breaches by test takers.

Proctors who have signed Confidentiality and Conflict of Interest agreements and any other documentation as required by ACBN will receive the exam forms by secure, traceable means. ACBN will only send the number of test packets equal to the number of registered candidates as indicated on the exam roster. The proctor sends the exam packet and answer sheets to ACBN Headquarters. As of January 1, 2017, return receipt is required.

When test takers are allowed a break during the scheduled time, they are accompanied by a proctor to ensure there are no violations of security.

### *Security Violations*

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The continued security of the certification exam(s) is an essential component of all phases of the exam development, maintenance, and administration process. Any possible/suspected security violations will be reported promptly to the Board for investigation and/or correction as needed.

Irregularities observed during the testing period, including but not limited to candidates creating a disturbance, giving or receiving unauthorized information or aid to or from other persons, or attempting to remove test materials or notes from the testing room, may be sufficient cause to terminate candidate participation in the examination administration or to invalidate scores. Irregularities may also be evidenced by subsequent statistical analysis of testing materials.

# Records Retention

Policy Number: 303

Date Approved: 11/3/16

Date(s) Revised: 10/31/16

## *Introduction*

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All documents created or received by the certification program will be retained according to the following schedule. The use of the term “documents” in this policy includes all printed copy and electronic materials. Documents received in hard copy may be converted to electronic format for storage. All confidential materials will be retained in compliance with the security policy.

## *Documents Retained Indefinitely*

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- Examinations (at least one copy of each examination form)
- Examination development documentation
- Examination items (item bank)
- Active applicant/candidate data. Original hard copy applications will not be maintained once the information is entered into the database or stored electronically.
- Files of active certificants
- Active contracts
- Legal correspondence and documents

## *Documents Retained for 7 Years*

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- Expense reports
- Accounting/bookkeeping records (except as noted above)
- Expired/terminated contracts

## *Documents retained 5 Years*

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- General correspondence
- Meeting minutes of all Board and committee meetings
- Examination results (scores)

## *Documents Retained for 90 Days*

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- Inactive certificant files
- Inactive candidate files
- Inactive personnel files
- Examinations
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# Verification of Credentials

Policy Number: 304

Date Approved: 11/3/16

Date(s) Revised: 10/31/16

The names of certified individuals and their certification status are not considered confidential and may be published by the ACBN, such as in an online directory and in the ACBN newsletter. An individual may opt out of inclusion in ACBN publications on the exam application or by contacting ACBN. However, ACBN will verify the current certification status only of an individual upon request. Application status, information about whether or not an individual has taken the exam, and score information will not be released to a third party unless ACBN receives written approval by the certificant, or as required by law.

ACBN Staff maintains a database of all active applicants and certificants.

# Quality Assurance Program

Policy Number: 305

Date Approved: 11/3/16

Date(s) Revised: 10/31/16

## *Purpose*

The mission of the American Clinical Board of Nutrition is to ensure for the health, safety and welfare of the public through an examination and certification process that assesses professional and clinical competence of health care providers in nutrition. To that end, the ACBN evaluate its program through a quality assurance plan to ensure the consistent application of policies and procedures and the opportunity for constant improvement.

## *Internal Audit*

The ACBN will conduct an internal audit annually to study the areas described below and any other program areas as directed by the Board and identify opportunities for improvement, policy updates, or resolution of program issues. Any member of the Board may trigger an audit outside of the prescribed frequency as needed. The internal audit may be conducted by ACBN Staff or contracted to a third party, at the discretion of the Board. For the purposes of the audit, an individual should not evaluate his/her own work.

At the completion of the audit, the party completing the audit will write a summary report of the findings and recommendations for improvements to current policies and procedures to be presented to the Executive Board. The Board and Staff will determine how and if to implement the recommendations in a timely manner and assign any responsibilities of doing so as needed.

Certification Program Area	Goal of internal Audit
<b>Policy Review</b>	Complete a thorough review of all program policies and verify consistent implementation and/or identify necessary updates.
<b>Application Processing</b>	Ensure applications are reviewed in a fair and timely manner to verify that candidates meet all eligibility requirements before sitting for the exam and in keeping with the guidelines established in the Policy Manual.
<b>Published Information</b>	Complete an intensive review of all published documents (policies, Candidate Handbook, web site, etc.) to ensure accuracy and currency.
<b>Examination Development</b>	Evaluate all exam development policies and procedures, including those associated with: the job analysis, item writing and review, form assembly and review, standard setting, and technical review.
<b>Examination Administration</b>	Evaluate all exam administration policies and procedures, including, but not limited to, ensuring proctor and test center quality,

	reviewing candidate feedback, monitoring the accuracy of the scoring process, score reporting.
<b>Security</b>	Ensure ACBN and its testing vendor consistently implement required security practices.
<b>Record Retention</b>	Ensure records are kept and disposed of in keeping with the ACBN Record Retention Policy.
<b>Confidentiality and</b>	Verify confidential information, as defined by ACBN policy, is handled appropriately and that current, signed agreements are on file for individuals with access to confidential information.
<b>Conflict of Interest</b>	Verify that those who are subject to the Conflict of Interest policy have current, signed agreements on file.
<b>Complaints, Disciplinary Actions, and Appeals</b>	Ensure that complaints and appeals are reviewed and processed in accordance with ACBN policy and that disciplinary actions are carried out fairly and consistently and in accordance with ACBN policy.

*Financial*

An annual financial audit is completed by the ACBN Treasurer, ACBN Staff. Financials are audited by an independent third party, and taxes are performed by a third-party accounting firm.

*Training*

Volunteers and staff must be trained appropriately and timely to ensure that the policies and procedures of the ACBN are applied consistently.

**Executive Board Member Training/Orientation**

All newly elected Executive Board members receive an adequate orientation at the beginning of their first term delivered by current Board members or ACBN Staff.

**SME Training**

Subject matter experts (SMEs) receive training for the function they are to perform. Training is provided by the testing vendor, ACBN Staff or Board members, or a third party.

**Staff Training**

At the beginning of employment, ACBN Staff will receive access to all pertinent certification program documents for review. ACBN Staff are expected to participate in yearly professional development activities, such as attendance at certification industry conferences/seminars and review of published white papers and articles related to these topics.

*Errors Found during Normal Operations*

During the course of normal program operations, if an error is found in the activities of the program, a compulsory audit is conducted to quickly address correction of the error. ACBN Executive Board or Staff will work with the testing vendor and/or all involved parties (vendors, consultants, etc.) to gather information, determine a plan of action, and allocate resources to the resolution of the issue. The plan of action is based on the specific error and any associated risk to the integrity of the certification program. Once the plan of action is complete (or underway), ACBN Staff, or other applicable party, will write a summary report of the event and resolution and distribute it to the full Board. The report may include strategies for preventing similar errors from future occurrence.

## Appendix A: Policy Compliance Calendar

A Financial Statement must be sent to the Executive Board each month showing Income and Expenses.

### January –

Hold an Executive Board Meeting to review and approve the proposed budget.

Hold an Executive Board Meeting for the President to review the activities of the officers and secretary, webmaster.

Hold a Recertification Committee Meeting regarding those who have not met annual requirements

Books are audited by outside source

Monthly statement

End of year financial statement

Taxes, 990's, are prepared by Hottle & Willis, PC

### February –

Monthly statement

Decertify those who have not met annual requirements

Send PR to various colleges, other doctorates than DCs to generate interest in the DACBN

Try to have more college sponsored nutritional seminars, other than chiropractic, to send in applications for DACBN Approved Seminars

### March –

Exam Committee typically meets in March, but holds meetings throughout the year as needed.

Prepare and mail Newsletter

Monthly statement

Executive Board Meeting to go over exam to see if any improvements can be made regarding the exam itself, preparation, execution, security, etc.

## **April –**

Hold a scheduled quarterly Executive Board Meeting (usually involves Exam and Item Writing Committees. Any voting necessary, the meeting is concluded with committee members hanging up and reopened with just the Executive Board to vote.

All committees are reminded if they need to hold a meeting, to do so in a timely manner

If new doctors are needed for the Exam Committee, get out a special newsletter asking for volunteers not only for the Exam Committee – but any Committee needing additional assistance.

Monthly Statement

## **May –**

Annual on site meeting of Executive Board and all Committee members (April or May)

Training, if needed, of new Exam Committee Members and new Item Writers (April or May)

Monthly statement

## **June –**

Sponsorship Committee hold meeting

Monthly statement

Begin getting the newsletter together

## **July –**

Hold a scheduled quarterly Executive Board Meeting (usually involves Exam and Item Writing Committees. Any voting necessary, the meeting is concluded with committee members hanging up and reopened with just the Executive Board to vote.

Send all diplomates who have not sent in CE credits a letter stating same

Annual Meeting of Accreditation Committee – other meetings scheduled as needed (gets much busier in the 4<sup>th</sup> and 5<sup>th</sup> year of accreditation)

Monthly statement

Prepare and send newsletter

## **August –**

Monthly statement

## **September –**

Monthly statement

Begin working on newsletter

## **October –**

Hold a scheduled quarterly Executive Board Meeting (usually involves Exam and Item Writing Committees. Any voting necessary, the meeting is concluded with committee members hanging up and reopened with just the Executive Board to vote.

Statement for Recertification Fee

Prepare and send out newsletter

Monthly statement

If it is an election year, the Exam Committee is notified to begin thinking of whom they would like to nominate for any open offices. The Nomination Committee is contacted.

## **November –**

Send all diplomates who have not sent in CE credits a letter stating same

Nominating Committee holds a meeting to confirm new Exam Committee Appointments or Elections if needed

Statement for Recertification Fee

Prepare and send Newsletter

Send all diplomates who have not sent in CE credits a letter stating same

Perform Internal Audit

Monthly statement

Emails are sent to those doctors who have not met requirements.

## **December –**

Prepare a Financial Budget Projection for the next year (expected income and expenses)

Grievance Committee Meet for report on current year.

Hold a Programs Review Meeting to go over Approved Seminars for current year, note any problems

Statement for Recertification Fee

Hold Item Writers Committee Annual Meeting – in addition to others throughout the year

Nominating Committee holds a meeting, if required, to appoint new officers when terms are up in January.

Course Review Committee meets to go over seminars approved throughout the year and to address any problems that may have occurred

Monthly statement

If it is an election Year, the Nominating Committee is asked to hold a conference call and make their contacts and report.

Emails are sent to those doctors who have not met requirements.

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## Appendix B: Conflict of Interest Form

This is to advise the ACBN that I have interest in other nutrition organizations, schools or nutritionally related companies that supply nutritional products.

Please list other interests:

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I have no association /interest in any nutrition faction.

Signature \_\_\_\_\_ Date \_\_\_\_\_

NOTE: Having an interest in a nutritionally related faction does not preclude eligibility and often is helpful.

# Appendix C: Non-disclosure and Confidentiality Agreement

## NON DISCLOSURE AGREEMENT

AGREEMENT between American Clinical Board of Nutrition (ACBN) and

\_\_\_\_\_ with an office at

(name)

\_\_\_\_\_, which is entered for the purpose

(address)

of setting forth the basis under which each party will furnish and or disclose to the other party certain data, which may include sensitive, confidential member information, documentation and other technical, business and marketing information, in written, oral, graphic, electronic or other tangible form or through site surveys or visits, including but not limited to, each individual's specialty networks, licensing/service agreements, technological and trade secrets connected thereto (collectively, the "information").

\_\_\_\_\_ agrees as follows:

(name)

### 1. NON-DISCLOSURE

a) The information shall be deemed the exclusive property of the furnishing party.

The information and all copies thereof shall be returned to the furnishing party upon the furnishing party's request. The receiving party will not use the information for any purpose other than in accordance with the terms of this Agreement.

b) The receiving party shall use the same degree of care as it uses with its own

propriety information to protect and maintain the confidentiality of the information of the furnishing party. The receiving party understands that he/she may review sensitive member information and trade secrets, and agrees to maintain confidentiality of all information.

- c) The receiving party agrees it will not allow any of its employees, agents, representatives, affiliates or any other person(s) to disclose or use any of the information of the furnishing party, except in accordance with the terms of the Agreement.
  
- d) If the receiving party or any of its employees, agents, representatives, affiliates or any other person(s) shall attempt to use or dispose of any of the information of the furnishing party in a manner contrary to the terms of this Agreement, the furnishing party shall have the right, in addition to such other remedies, which may be available to it, to injunctive relief enjoining such acts or attempts, it being acknowledged that legal remedies are inadequate.

21.

- e) The information is being furnished and/or disclosed for the sole purpose of examining the feasibility of a contract or a business relationship between the individual(s) identified above and the information is not to be disseminated by the receiving party to any other individual or entity and is not to be used by the receiving party for any other purpose
  
- f) All information shall be destroyed or returned to the furnishing party whenever any of the Parties so request in writing or upon termination of this Agreement for any reason. Any Party who disclosed information to another party or entity

(e.g., employees, representatives, affiliates or independent contractors) must assure that all such parties or entities return or destroy said information. If any of the Parties so requests in written or upon the termination of this Agreement for any reason.

- g) The Parties are aware of and understand Member Confidentiality as referred to in Section 264 of the Health Insurance Profitability and Accountability Act of 1996 (HIPPA). All member information is considered highly sensitive and may not be disseminated.
- h) ACBN Executive Board members, employees, subject-matter experts (SMEs), and all those with access to confidential exam information are prohibited from developing or delivering examination preparation products during their tenure and for a period of two years following the end of their access to examination content

## 2. NOTICES

In all notices, requests, consents, demands and other communications provided for by this Agreement shall be in writing and shall (unless otherwise specifically provided herein) be deemed given when mailed first class mail at any general or branch post office enclosed in a registered or certified postpaid envelope, addressed to the address of the parties set forth above, or to such changed addresses as such parties may have fixed by notice, provided, however that any notice of change in address shall be effective only upon receipt.

## 3. NON-CIRCUMVENTION

This Agreement prohibits one or all parties from independently contacting or contracting with individuals and/or corporations that were identified by either of the parties involved in this Agreement during the course of discussions,

negotiations or the exchange of information.

#### 4. MISCELLANEOUS

a) This Agreement may not be changed, modified or amended except by writing and signed by the party changed, and this Agreement may not be discharged except by performance in accordance with its terms.

b) This Agreement sets forth the entire Agreement and understanding between the parties as to the subject matter hereof and merges and supersedes all other prior discussions, agreements and understandings of any kind and every nature between them.

22.

c) The individuals executing this Agreement and on behalf of

\_\_\_\_\_ do each hereby represent

(name)

and warrant that they respectively have been and are on the date of this agreement duly authorized by all necessary appropriate corporate action to execute this Agreement on behalf of their respective principals.

d) Either Party may terminate the obligation to provide or exchange business, technical, marketing or other information pursuant to this Agreement for any reason upon thirty (30) days prior notice to the other Party. The provisions of Section 1 shall survive termination of this Agreement and shall remain in full force and effect.

**IN WITNESS WHEREOF, the Parties hereto caused this Agreement to be executed as of the dates set forth below.**

By \_\_\_\_\_ By \_\_\_\_\_  
(Signature) (Signature)

Name: \_\_\_\_\_ Name: **Dr. Elicia Rosen-Fox**

Title \_\_\_\_\_ Title: **President** .

Date \_\_\_\_\_ Date:

## Appendix D: Glossary of Terms

**ACBN:** American Clinical Board of Nutrition

**Executive Board:** ACBN governing body; referred to as the “Executive Board” or “Board”.

**Certification:** A standardized process, often voluntary, by which individuals who have demonstrated the level of knowledge and/or skill required in the profession, occupation, role, skill, or specialty area are recognized and identified to the public and other stakeholders.

**Cut Score:** A specific score on an examination at or above which candidates pass and below which candidates fail.

**Documents:** either paper or electronic, including but not limited to, applications, application documentation, certification tests, certificates, ACBN documentation.

**Equating:** A statistical process used to convert scores on two or more alternate forms of an examination to a common scale for purposes of comparability and equivalence.

**Grandfathering:** The process by which individuals are granted certification without being required to meet formal examination requirements.

**Job Analysis:** Any of several methods used singly or in combination to identify the performance domains and associated tasks, knowledge, and/or skills relating to the purpose of the credential and providing the foundation for examination validation. Also known as task or practice analysis, job task analysis, or role delineation study.

**Proctor:** An individual who opens, distributes, administers, collects, and returns exams to ACBN.

**Publicly Available:** Easily available and accessible, with or without request.

**Publish:** To provide information and/or documents in printed or electronic format.

**Recertification:** Requirements and procedures established as part of a certification program that certificants must meet to maintain competence and renew their certification. Related to continuing competence and continuing education.

**Standard Setting:** A systematic method for determining the passing score on an examination based on characteristics of the examination, particularly its level of difficulty. The result of this process is a pass/fail cut score that represents the lowest level of acceptable performance in the content area being assessed by an examination.

**Subject Matter Experts (SMEs):** Professionals in the field being tested, who have been trained in preparing multiple-choice items by ACBN or its testing vendor and who prepare test questions for the DACBN examination.

**Undue Influence:** Control of decision-making over essential certification policy and procedures by stakeholders or other groups or individuals outside the autonomous governance structure of a certification program.

**Volunteer:** Board members, SMEs, and individuals who give their time and expertise on behalf of ACBN.