

APCA COMPLIANCE STANDARDS

The APCA Compliance Policies are mandatory standards for all Individuals, Applicants, Candidates and Certificants seeking to obtain and/or maintain APCA certification. Individuals, Applicants, Candidates and Certificants engaging in any of the following conduct or activities have violated the Compliance Policies and are subject to sanctions as described hereunder in accordance with policies and procedures established by the Inteleos Board of Directors.

All compliance investigations, actions, and sanctions (if applicable) will be noted in the Applicant/Candidate/Individual/Certificant's APCA record.

1. Compliance Standards. The following may be considered violations of the APCA Compliance Policies:

- 1.1 Misrepresenting ones' APCA certification status, including altering or falsifying in any way any document or material issued by APCA.
- 1.2 Misrepresenting ones' certification/licensure status with a state licensing board, state or federal agency, national professional association or accrediting body.
- 1.3 Attempting to engage or engaging in fraud, misrepresentation, deception or concealment of a material fact in connection with obtaining or renewing APCA certification or recertification on one's behalf or on behalf of another. Altering or falsifying in any way any eligibility documentation relating to APCA examinations.
- 1.4 Subverting or attempting to subvert the APCA examination process, including, but not limited to:
 - a) Engaging in conduct that violates the confidentiality or security of examination materials, such as removing or attempting to remove examination materials from an examination room, or having unauthorized possession of information concerning a current, future or previously administered examination.
 - b) Disclosing information concerning any portion of a current, future or previously administered examination; this includes, but is not limited to, disclosures to students in educational programs, graduates of educational programs, educators, anyone else involved in the preparation of Candidates to sit for the examinations, or APCA examination development participants.
 - c) Conduct that in any way compromises ordinary standards of test administration, such as communicating with another Candidate during an examination, copying another Candidate's answers, permitting another Candidate to copy one's answers, possessing unauthorized materials, receiving information concerning any portion of a current, future or previously administered examination.

- d) Impersonating a Candidate or permitting or otherwise assisting an impersonator to take the examination on another's behalf or on behalf of another.

1.5 Criminal conduct, as described below:

- a) Having been charged in a criminal proceeding where: 1) a finding or verdict of guilt is made or returned but where the adjudication of guilt is withheld, deferred or not entered or the sentence is suspended or stayed, or 2) where the individual enters into a pretrial diversion activity; or
- b) Having been convicted of a crime, including a felony, gross misdemeanor or misdemeanor, other than a speeding or parking violation. Being convicted of a crime includes, but is not limited to, being found guilty, pleading guilty, or pleading nolo contendere (no contest).

1.6 Having been subject to a Special or General Military court-martial.

1.7 Having been the subject of disciplinary action by a state licensing board, state or federal agency, national professional association, or accrediting body.

1.8 Performing clinical duties while impaired due to chemical (legal and/or illegal), drug or alcohol abuse.

1.9 Engaging in conduct likely to deceive, defraud, or harm the public; or demonstrating a willful or careless disregard for the health, welfare, or safety of a patient.

1.10 Having been adjudicated as mentally incompetent, mentally ill, chemically dependent, or dangerous to the public, by a court of competent jurisdiction.

1.11 Failure to report to APCA within fourteen (14) days involvement in any of the situations described in Sections 1.1 through 1.10. Such failure includes, but is not limited to, a failure by an Applicant, Candidate, Individual or Certificant who has previously undergone the compliance review process to immediately report to APCA any additional situations described in 1.1 through 1.10 except as provided by Section 2 of the Compliance Policies(Reporting of Compliance Violations).

1.12 Failure to cooperate with APCA in investigations of alleged compliance violations as described in this section, including but not limited to the following:

- a) Making a false statement, knowingly providing false information to APCA, and/or failing to disclose material information in connection with a compliance action situation; or
- b) Failing to provide information requested by APCA, including but not limited to information regarding:

- i. Test security violations and/or disclosure of confidential examination material content;
 - ii. Misrepresentations by an Individual, Applicant, Candidate or Certificant regarding his/her credential(s);
 - iii. The unauthorized use of intellectual property, certification marks, and other copyrighted materials;
 - iv. Compliance action situations.
 - c) An individual who takes longer than thirty (30) days to respond to a request from APCA will be deemed to have not acted in a timely manner.
- 1.13 Civil or Criminal Penalties. Conduct that violates the APCA Compliance Policies may also violate applicable state or federal law. In addition to potential sanctions under these Compliance Policies, APCA may pursue civil and/or criminal penalties against the Individual, Applicant, Candidate or Certificant.