

# Professional Compliance Panel FAQs

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The Professional Compliance Panel was established in July, 2013 to ensure compliance with NASS ethics policies as well as any other rules or regulations incumbent upon a healthcare professional. The PCP proactively investigates as well as reviews reports of misconduct from members. The PCP reports directly to the NASS Board of Directors. It is important to note that the primary goal of the PCP is not to take punitive action, rather to enforce ethics policies and provide ethical education to membership when applicable. In instances of egregious violations, the PCP may recommend that a formal complaint be initiated with the [Professional Conduct & Ethics Committee \(PCEC\)](#).

The PCP is comprised of 8 members, with varied backgrounds and practice specialties.

Name	Specialty/Location
Mitchell Reiter (Chair)	Orthopedic Surgery – Newark, NJ
Paul Arnold	Neurosurgery - Kansas City, KS
Carrie Diulus	Orthopedic Surgery - Medina, OH
Ronald Lehman	Orthopedic Surgery- New York, NY
Kano Mayer	Physical Medicine & Rehabilitation - Cleveland, OH
Gregory Przybylski	Neurosurgery – Edison, NJ
Frederic Schwartz	Neurosurgery- Chevy Chase, MD
Bradley Weiner	Orthopedic Surgery – Houston, TX

### What types of violations can be reported to the PCP?

- Inappropriate Expert witness testimony ([NASS Expert Witness Guidelines](#))
- False advertising
- Violation of Disclosure policy/ false disclosure of conflicts (incomplete/inaccurate or misleading disclosures) ([NASS Disclosure Policy](#))
- Inappropriate industry relations ([Code of Ethics for Industry Interactions with NASS](#))
- Illegal activity/licensure matters (example: member conviction, investigating if they hold a license in multiple states)
- Physician impairment
- Inappropriate coding/billing
- Inappropriate clinical conduct
- Ethics Violation ([NASS Code of Ethics](#))
- Ghostwriting

### How do I file a request for investigation?

1. Ensure you have a current disclosure on file. You must have a current disclosure (within the last 12 months) on file in the NASS Online Disclosure Module to be eligible to file a request.
  - a. [NASS Disclosure System Login](#)
  - b. [NASS Disclosure FAQs](#)
2. Complete a Professional Compliance Panel Investigation Request Form. You will be asked to provide your name and email, as well as information about the violation. There is the ability to upload supporting documentation if applicable.

### Can I file a request anonymously?

No. Currently the PCP accepts complaints from members only. Your name is required to verify membership, as well as to confirm you have a current disclosure on file in the NASS Disclosure System. Although you are unable to report anonymously, your information will be treated confidentially by NASS staff and members of the PCP. The party you file a complaint against will not be advised of your name or contact information.

### What is the PCP process following my request?

1. Upon submission, your form will be sent to the staff liaison to the PCP.
2. Staff will confirm your membership status & that you have a current disclosure on file.
3. Staff will confirm the nature of the violation reported is within the purview of the PCP.
4. Staff will forward your request and violation details to the Professional Compliance Panel and/or Legal Counsel for review.
5. The PCP will review the details of your report and make a recommendation to the NASS Board of Directors as to how to proceed.
6. The NASS Board of Directors will make the final decision regarding which course of action is most appropriate.
7. Staff will send you an acknowledgement that the matter was investigated, and a recommendation was made to the Board of ☐ Directors. In effort to protect your confidentiality and that of whom you filed a complaint against, you will not be apprised as to the outcome of the investigation or of the recommendation sent to the Board of Directors. Alternately, you may elect to file a formal PCEC complaint directly as the complainant, and in that circumstance would be advised of the hearing results. [Read more about PCEC](#) including the potential outcomes of a hearing.

### What are the potential outcomes of an investigation?

The potential outcomes of your investigation request are as follows:

- **NO FURTHER ACTION RECOMMENDED:** The PCP may find no action is required, and/or may be unable to appropriately verify the violation if there is a lack of evidence. To that end, it is important you supply as much supporting information as possible when filing your request for an investigation.
- **EDUCATION RECOMMENDED:** In instances of minor violations, the PCP may recommend an educational module to the violator with a warning not to repeat the offense.
- **PCEC RECOMMENDED:** In instances of more serious, or repeated violations, the PCP may recommend that a formal Professional Conduct & Ethics Committee (PCEC) case be opened and punitive measures be taken. The PCP would act as the “Complainant” on behalf of NASS. [Read more about PCEC](#) including the potential outcomes of a hearing.

### The spine world is small—how can I be sure none of the Committee members are biased b/c they know the complainant or defendant?

NASS employs very strict disclosure guidelines for all of its committees. Committee members must disclose all relationships that could be viewed as conflicts, be they personal, professional, or industry-related, and depending on the nature of the conflict, recuse themselves from discussion and/or voting. If you review the list of PCP members and find that you know any of the members, you should bring that to the attention of the staff liaison.

### What do I do if I have any further questions about the process?

View [NASS Bylaws](#) regarding the Professional Compliance Panel. You may also contact the Manager of Ethics & Professionalism, [Briana Martire](#), via email.