

## **ARBITRATION PROCEDURES – NATIONAL ASSOCIATION OF TRAVEL HEALTHCARE ORGANIZATIONS**

1. Arbitration Chairperson
  - a. The President of NATHO shall appoint the Chairperson for a term of one year.
  - b. Duties:
    - i. Chair all meetings of arbitrators.
    - ii. Answer questions of arbitrators, especially in regard to arbitration procedures.
    - iii. Review all arbitrations for form, logic, and completeness prior to the publishing and distribution of each arbitration decision.
    - iv. Make recommendations for the revision of the “Arbitration System and Procedures” and update it.
    - v. Send a copy of all arbitration cases including documentation to the association headquarters to be kept in a permanent file.
    - vi. Prepare and coordinate the summaries of the arbitrations.
  - c. The President may remove the Chairperson from office.
  - d. The Committee Chairperson shall appoint additional members of NATHO to the committee.
  - e. The Chairperson shall appoint an alternative Chairperson to fulfill the duties of the Chairperson in his/her absence from the arbitration committee.
  
2. Arbitration Steps (Every effort will be made to complete each arbitration case within 30 days)
  - a. The initiating party shall send to the headquarters office of NATHO
    - i. A written request for arbitration.
    - ii. A statement of the issue in dispute.
    - iii. The amount of money involved, if any.
    - iv. The remedy or solution sought.
    - v. A copy of all pertinent documents.
    - vi. The names of any other persons who have previously attempted to resolve the case.
    - vii. NATHO headquarters will forward the information to the Arbitration Chairperson. The Chairperson will determine if any litigation has been initiated on this issue. If yes, the Chairperson shall decline the issue for arbitration.
  - b. NATHO headquarters shall give notice by Certified Letter (Return Receipt Requested) to all parties that the case has been accepted for arbitration. The notification to other party shall include copies of (1), (2), (3), and (4). The party upon whom a demand for arbitration is made may file an answering statement with NATHO within ten days after receipt of the notice of the request for arbitration. In such event NATHO shall send copies of all material from each office to the other at the same time the information is sent to the arbitrators. If no answer is filled within the stated time, it will be assumed that the party upon whom a demand for arbitration has been made wishes to deny the claim. Failure to file an answer shall not delay arbitration as all members of NATHO agree to participate in the arbitration process when they sign their application for membership. The investigator shall proceed as soon as possible after receiving arbitration materials from the Chairperson.
  - c. The NATHO chairperson shall pick a member of the Arbitration Committee to be the investigator in the case. The Chairperson will question the chosen investigator to see if any conflict of interest exists with the parties to the arbitration. If none exists, the Chairperson will run the name of the chosen investigator by all the other parties for acceptance of that person as an investigator. If there is resistance to that investigator, a new investigator will be chosen and the same process will apply.
  
3. Investigator’s Procedures
  - a. The investigator will make every effort to conclude the investigation within ten (10) business days. The Arbitration Chairperson may grant a ten-day extension. The investigator is authorized to conduct phone interviews and request additional documentation from all parties involved.
  - b. At the end of their investigation the investigator shall write up the facts in the case and a recommendation for resolving the issue. This write up will use the terms “firm A and firm B” etc. No names of companies or individuals will be used in this written report.

- c. The recommendation of the investigator will be based on a review of the evidence as it relates to:
    - NATHO Code of Ethics
    - NATHO Standards of Practice
    - Previous arbitrations
    - Written agreements
4. Upon receipt of the investigator's report, the Chairperson will set a date for a conference call of the Arbitration Committee. Upon confirmation of the conference call, the Chairperson will send a copy of the investigator's report to the committee members who will participate in the conference call.
5. The committee will discuss the case during the conference call. Members of the committee other than the Arbitration Chairperson will vote upon a final recommendation. The Chairperson shall vote only to break a tie vote by other members of the committee.
6. The Arbitration Chairperson shall notify the parties to the case of the final decision.
7. The Chairperson shall collect all materials on the case and forward the entire file to headquarters.
8. Headquarters should send letters of determination in the case to the parties involved on NATHO stationery.
9. Arbitration committee members shall not discuss arbitration cases with anyone outside the committee.
10. Revisions of the NATHO Arbitration Procedures will require a two-thirds vote of the arbitration committee.
11. A majority vote of the members of NATHO shall confirm the changes.