

Purpose:

This document describes the process for receiving; evaluating and making decisions on appeals submitted by applicant or accredited cannabis laboratories. An appeal challenges an accreditation decision made by COLA, in which the laboratory seeks a formal change to the decision. The following types of decisions may be appealed:

- Decision to terminate accreditation process
- Decisions to grant, suspend, reduce, or withdraw accreditation, and
- Decisions regarding scope of accreditation.

COLA will not discriminate against any laboratory or individual requesting an appeal. This document is available to any interested party.

Scope:

The process begins when COLA receives an appeal from an applicant or accredited laboratory. The process includes evaluation and review of the case and decision-making process. It includes scheduling an appeal meeting and notifications to the laboratory. The process ends when one of the following situations occurs:

- The Original Decision was made and communicated more than 21 days prior to receipt of the appeal making the appeal untimely.
- The Original Decision is upheld.
- The Original Decision is modified (partially upheld, partially reversed)
- The Original Decision is reversed.
- The laboratory has voluntarily withdrawn its appeal or accreditation with COLA.

Responsibility and Authority:

Assignee	Staff member selected to review the case and prepare for the Appeals Committee. This individual cannot be a member of the most recent assessment team or member of the COLA Cannabis Accreditation Board involved in the decision being appealed.
Cannabis Appeals Committee	Three-member committee composed of the Chief Executive Officer, and two members of the Board of Directors. No one participating in the Cannabis Accreditation Board may serve on a Cannabis Appeals Committee to maintain impartiality. The committee is

	responsible for hearing appeals cases and rendering a decision.
Program Manager	Evaluates appeals, assigns review and preparation to staff members, and communicates with appellant throughout the process. Presents case to Appeals Committee.

Terms and Definitions:

Appeal submission period	21 calendar days from the date of the letter communicating the original decision.
Original Decision	Decision made by COLA’s Cannabis Accreditation Board regarding accreditation status or scope.

Receiving an Appeal

Appeals contesting either the scope of accreditation or accreditation status must be received in writing. The laboratory has 21 calendar days from the date of the letter communicating the decision to submit a completed Appeal Form and any supporting materials. The Appeal form can be downloaded from the client portal: cannabislab.cola.org.
When a written request for appeal is received, it is forwarded to the Program Manager.

Triaging the Appeal

In accordance with ISO/IEC 17011, COLA is required to provide the laboratory with acknowledgement, progress reports, and outcome of the appeal.

- 1) The Program Manager reviews the appeal and the date the Original Decision that is being appealed was communicated to the laboratory.
 - a) If the appeal date is greater the 21 calendar days, then the Program Manager prepares a response to the laboratory informing it the appeal is denied because the appeal submission period has been exceeded.
 - i) The *Request to Appeal Accreditation Decision* form is updated with this information.

- ii) The Program Manager creates an *Appeal Denied Letter* and posts to the Cannabis Laboratory Platform for laboratory access.
- b) If the appeal date is within the 21-day submission period, then the Program Manager assigns a staff member (not involved in the most recent assessment leading to the decision being appealed) to evaluate the laboratory's case and the accreditation history in preparation for the Appeals Meeting.
- c) The Program Manager creates an *Appeal Acknowledgement Letter* and posts to the Cannabis Laboratory Platform for laboratory access.

Planning the Appeals Meeting

- 2) The Program Manager notifies the CEO of the request for appeal and the Cannabis Appeals Committee is selected. The Cannabis Appeals Committee is polled to schedule a meeting to hear the case within 30-45 days. (Appeals meetings are held virtually.)
- 3) As soon as the date and time for the appeals meeting is established, the Program Manager prepares the *Appeal Meeting Letter* and requests the laboratory notify COLA no later than two weeks prior to the date of the Appeals Meeting if they plan to make a presentation to the Appeals Committee during the meeting. If the laboratory plans to participate, the Program Manager will obtain the name(s) and title(s) of the persons who will be presenting their case.
- 4) The Program Manager updates the *Request to Appeal Accreditation Decision* form.

Evaluating the Appeal Request and Accreditation History

- 5) First, the Assignee reviews the laboratory's rationale for appealing the decision and supporting materials. The Assignee notes any key items identified in the supporting materials that appear to support a different decision. The Assignee records information reviewed and findings in the "Evaluation of Laboratory's Request & Supporting Materials" section of the *Request to Appeal Accreditation Decision* form.
- 6) Next, the Assignee reviews pertinent information related to the accreditation activities leading to the decision being appealed. This includes:
 - a) The laboratory's application or prior certificate of accreditation;
 - b) Records of most recent assessment and any associated corrective actions;
 - c) Minutes of COLA's Cannabis Accreditation Board meeting at which the case was reviewed and the accreditation decision was made;
 - d) Records of Proficiency Testing; and
 - e) Any other correspondence between the laboratory and COLA pertinent to the factors leading to the decision being appealed.
- 7) The Assignee reviews the information paying close attention to the sequence, timing, and staff involved in the accreditation process and decision. This is compared to current accreditation

policies and procedures.

- a) Any anomalies (by the laboratory or COLA) are noted.
 - b) Information reviewed and findings are recorded in the “Evaluation of Accreditation History” section of the *Request to Appeal Accreditation Decision* form.
- 8) Upon completion of the review, the Assignee updates the *Request to Appeal Accreditation Decision* form with his/her recommendations to:
- a) Uphold the original decision;
 - b) Modify the original decision (partially uphold, partially reverse); or
 - c) Reverse the original decision.
- 9) The *Request to Appeal Accreditation Decision* form is provided to the Program Manager along with all materials submitted by the laboratory and any additional pertinent information from the review.

Appeals Meeting

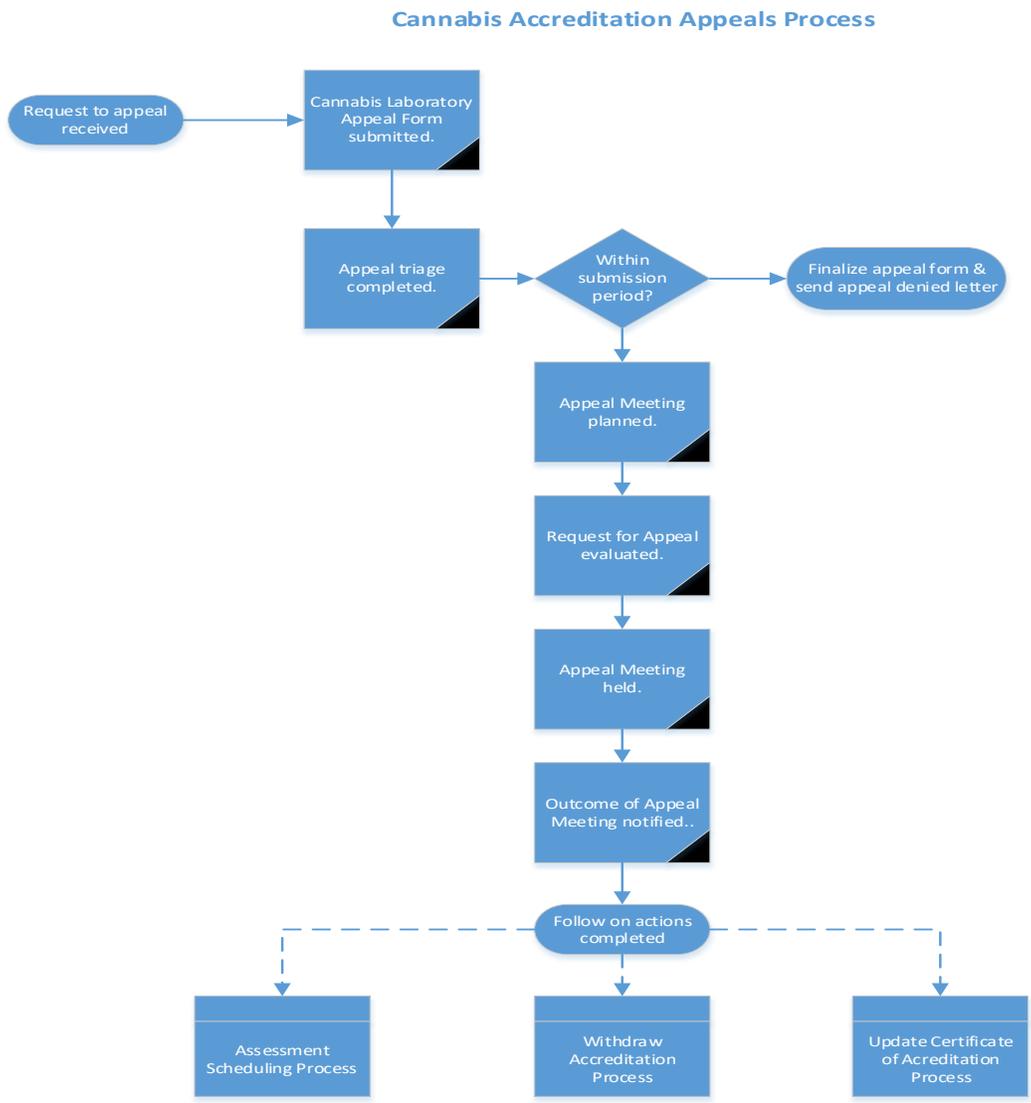
- 10) The Program Manager sends a copy of the *Request to Appeal Accreditation Decision* form and any supporting documentation to the Appeals Committee members at least 5 days in advance of the scheduled meeting.
- 11) The Program Manager contacts the laboratory at least 5 days in advance of the meeting to confirm the virtual arrangements and laboratory participation.
- 12) The Program Manager takes attendance and takes minutes of the Appeals Meeting.
- 13) The Chair of the Appeals Committee calls the meeting to order.
- 14) The Program Manager introduces the case and reviews the timeline and basis for accreditation actions.
- 15) If the laboratory is participating, its representative(s) is connected to the meeting and has the opportunity to present the laboratory’s argument. The Appeals Committee is free to ask questions. At the conclusion of the laboratory’s presentation, the laboratory participants leave the call.
- 16) The Cannabis Appeals Committee discusses information presented by COLA and the laboratory. Each committee member will vote to take one of the following actions:
 - a) Uphold the Original Decision;
 - b) Modify the Original Decision with stipulations; or
 - c) Reverse the Original Decision.
- 17) The Program Manager records the outcome of the vote in the minutes and on the *Request to Appeal Accreditation Decision* form
- 18) The Program Manager sends the minutes of the meeting to the Chair of the Appeals Committee for approval. Once approved, minutes will be included in the Board Book for the next meeting of the COLA Board of Directors.

Laboratory Notification of Outcome

- 19) The Program Manager notifies the laboratory in writing, via traceable mail, of the decision of the Cannabis Appeals Committee, within 5 days of the meeting.
- 20) The Program Manager updates the *Request to Appeal Accreditation Decision* form with any follow-up actions needed based on the decision (e.g. withdrawn from the Cannabis Laboratory Platform, Schedule extraordinary assessment, grant new certificate of accreditation, etc...).
 - a) Actions are communicated to applicable Cannabis Accreditation staff.
 - b) *Request to Appeal Accreditation Decision* form is uploaded to the Cannabis Laboratory Platform.

Investigation and decision on appeals will not result in any discriminatory actions against the laboratory.

Flow Chart:



Monitoring and Measurement:

Methods Used	Metrics	Target
Appeals Tracking Log	Status of Appeals investigations: <ul style="list-style-type: none"> • # received • # pending • # closed 	trend
Outcome of Appeals investigations	% upheld % modified % reversed	trend

Supporting Materials:

Request to Appeal Accreditation Decision form
Cannabis Laboratory Appeals Tracking Log

Records:

Record ID	Custodian	Where Stored	Retention Period
Cannabis Laboratory Appeals Tracking Log	Program Manager	S:/ 17025 - Cannabis Accreditation	5 years
Request to Appeal Accreditation Decision form	Program Manager	Cannabis Laboratory Platform	10 years after termination of relationship with COLA

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