



Adirondack Health Institute

Lead Empower Innovate

POLICY AND PROCEDURE

Title: PPS Dispute Resolution Policy

Department: Compliance

Effective Date: 10/2016

Annual Review Date: 1/2017, 3/2018

Date Revised: 3/2017

Policy

This policy is designed to address disputes among participants in the Adirondack Health Institute PPS (“Participants”) and between a Participant and Adirondack Health Institute (“AHI”). As such, the policy applies to AHI PPS Participants and to AHI. This policy supplements, but does not replace, any requirements related to dispute resolution contained in any contract between AHI and Participants (“AHI PPS Contracts”). To the extent that a provision in an AHI PPS Contract conflicts with this policy, the provision in the AHI PPS Contract will prevail.

Procedure

- a. **Step 1: Informal Dispute Resolution.** The disputing parties will attempt to resolve their dispute first through an informal dispute resolution process. One party will send a notice to the other party containing a detailed description of the issue under dispute, the good faith basis for the dispute, and a proposed resolution. Within fifteen days of receiving the notice, the disputing parties will meet at a mutually agreeable location or will hold a conference call to attempt to resolve the dispute.
- b. **Step 2: Review by AHI Executive Committee.** If the dispute is not resolved through the informal dispute resolution, either party may request that the AHI Executive Committee review the dispute. Whichever party is requesting that the AHI Executive Committee intervene must put its request in writing, and the request must include a detailed description of the dispute and a summary of the options for resolving the dispute that were proposed and rejected during the informal dispute resolution process. The AHI Executive Committee, or a subset of at least three of its members designated by the AHI Executive Committee, will then review the dispute and propose a resolution to be adopted if mutually agreed to by the parties. No member of the AHI Executive Committee that is directly involved in the dispute may participate in the deliberation. Additionally, the AHI Executive Committee may request additional information, provided either in writing or in person, from either party.



Adirondack Health Institute

 *Lead*  *Empower*  *Innovate*

POLICY AND PROCEDURE

- c. **Step 3: Non-Binding Mediation or Litigation.** If the parties are unable to resolve the dispute informally or through review by the Steering Committee, as described above, the parties may elect to mediate such dispute. Disputes settled by mediation will be non-binding. The mediation shall be conducted in Warren County, New York. The substantive and procedural law of the State of New York shall be applicable to the mediation. In the event that the parties elect not to mediate the dispute, or in the event that the parties are unable to resolve the dispute through mediation, either party may elect to litigate the dispute.

* * * * *

Contact Person: Chief Compliance Officer

Responsible Person: Chief Executive Officer

Approved by: Chief Executive Officer