

违规驾驶员恢复计划 上诉程序

2024年3月

上诉程序

IDRP 参与者可对 IDRP 评估员或 IDRP 临床医生的决定提出上诉，但参与者不得对 IDRP 管理规则中包含的 IDRP 的任何内容（包括治疗的最少次数和周数）提出上诉。

参与者可通过邮件（280 State Drive NOB 2 North Waterbury, VT 05671-8340）、传真（1-866-272-7989）或电子邮件（AHS.VDHIDRP@vermont.gov）提交上诉，或根据《佛蒙特州民事诉讼规则》第 75 条寻求高等法院对决定进行复审。上诉必须包括：

- 参与者姓名
- 参与者出生日期
- DMV 执照号码
- IDRP 教育课程地点
- IDRP 评估员姓名
- IDRP 临床医生姓名
- 事件描述或上诉理由
- 发布保密信息，以便与参与者的 IDRP 临床医生、IDRP 临床评估员和/或参与者认为与上诉有关的其他个人或组织进行交谈。

IDRP 主任或指定人员将审查上诉以及任何附带材料或文件，与 IDRP 评估员讨论申请，审查获得的任何其他相关信息，并咨询 DSU 临床服务主任，以决定是否支持治疗建议。

参与者可在相关问题发生后 60 天内提出上诉。我们将在 5 个日历日内对上诉进行书面确认——这也可能包括对上诉的答复。IDRP 将在 90 个日历日内处理上诉。

如果参与者不同意 IDRP 主任的决定，可在 IDRP 主任作出决定后 60 个日历日内向 DSU 部门主任提出书面上诉。DSU 部门主任将在 90 个日历日内处理上诉。

如果参与者不同意 DSU 部门主任的决定，高等法院刑事庭（根据 VSA 第 23 章第 1209(e) 条）将做出裁定。

Simplified Chinese

Impaired Driver Rehabilitation Program

Appeal Process

March 2024

Appeal Process

An IDRП participant may appeal the decision of the IDRП Evaluator or IDRП Clinician, however participants cannot appeal any component of the IDRП that is included in the IDRП Administrative Rule (including the minimum number of sessions and weeks for treatment).

Participants may submit the appeal via mail (280 State Drive NOB 2 North Waterbury, VT 05671-8340), fax (1-866-272-7989), or email (AHS.VDHIDRP@vermont.gov) or seek review of the decision in Superior Court pursuant to Rule 75 of the Vermont Rules of Civil Procedure. The appeal must include:

- Participant name
- Participant date of birth
- DMV License number
- IDRП Education component location
- IDRП Evaluator name
- IDRП Clinician name
- Description of incident or reason for appeal
- Release of Confidential Information to speak with the participant's IDRП Clinician, IDRП Clinical Evaluator, and/or other person or organization that the participant determines would be applicable to the appeal.

The IDRП Director or designee will review the appeal and any accompanying materials or documents, discuss the request with the IDRП Evaluator, review any other pertinent information obtained, and consult the DSU Clinical Services Director to decide whether to uphold the treatment recommendation.

Participants have 60 days from the pertinent issue to file an appeal. Appeals will be acknowledged in writing within 5 calendar days—this may also be a response to the appeal. IDRП has 90 calendar days to address the appeal.

If the participant disagrees with the IDRП Director decision, they may appeal in writing to the DSU Division Director within 60 calendar days from the IDRП Director decision. The DSU Division Director has 90 calendar days to address the appeal.

If the participant disagrees with the DSU Division Director, the Criminal Division of the Superior Court (in accordance with 23 VSA § 1209(e)) will make a determination.

English