

違規駕駛員康復計劃 上訴流程

2024 年 3 月

上訴流程

IDRP 參與者可以對 IDRP 評估員或 IDRP 臨床醫生的決定提出上訴，但參與者不能對 IDRP 管理規則中包含的 IDRP 的任何組成部分（包括治療的最低治療次數和週數）提出上訴。

參與者可以透過郵寄（280 State Drive NOB 2 North Waterbury, VT 05671-8340）、傳真（1-866-272-7989）或電子郵件（AHS.VDHIDRP@vermont.gov）提交上訴，或根據《佛蒙特州民事訴訟規則》第 75 條在高等法院尋求對裁決進行審查。上訴必須包括：

- 參與者姓名
- 參與者的出生日期
- DMV 許可證編號
- IDRP 教育組件位置
- IDRP 評估員姓名
- IDRP 臨床醫生姓名
- 事件描述或上訴原因
- 發佈機密資訊，以便與參與者的 IDRP 臨床醫生、IDRP 臨床評估員和/或參與者確定與該上訴有關的其他個人或組織交談。

IDRP 主任或指定人員將審查該上訴和任何隨附的材料或文件、與 IDRP 評估員討論上訴申請、審查獲得的任何其他相關資訊，並諮詢 DSU 臨床服務主任，以決定是否支援該治療建議。

參與者在相關問題發生後有 60 天的時間提出上訴。我們將在 5 個日曆日內以書面形式確認上訴 - 這也可能包括對上訴做出回應。IDRP 有 90 個日曆日來處理上訴。

如果參與者不同意 IDRP 主任的決定，他們可以在 IDRP 主任決定後的 60 個日曆日內，以書面形式向 DSU 部門主任提出上訴。DSU 部門主任有 90 個日曆日來處理上訴。

如果參與者不同意 DSU 部門主任的決定，高等法院刑事庭（根據 23 VSA § 1209 (e)）將做出決定。

Traditional 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