

Impaired Driver Rehabilitation Program

Appeal Process

March 2024

Appeal Process

An IDR participant may appeal the decision of the IDR Evaluator or IDR Clinician, however participants cannot appeal any component of the IDR that is included in the IDR 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
- IDR Education component location
- IDR Evaluator name
- IDR Clinician name
- Description of incident or reason for appeal
- Release of Confidential Information to speak with the participant's IDR Clinician, IDR Clinical Evaluator, and/or other person or organization that the participant determines would be applicable to the appeal.

The IDR Director or designee will review the appeal and any accompanying materials or documents, discuss the request with the IDR 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. IDR has 90 calendar days to address the appeal.

If the participant disagrees with the IDR Director decision, they may appeal in writing to the DSU Division Director within 60 calendar days from the IDR 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.