

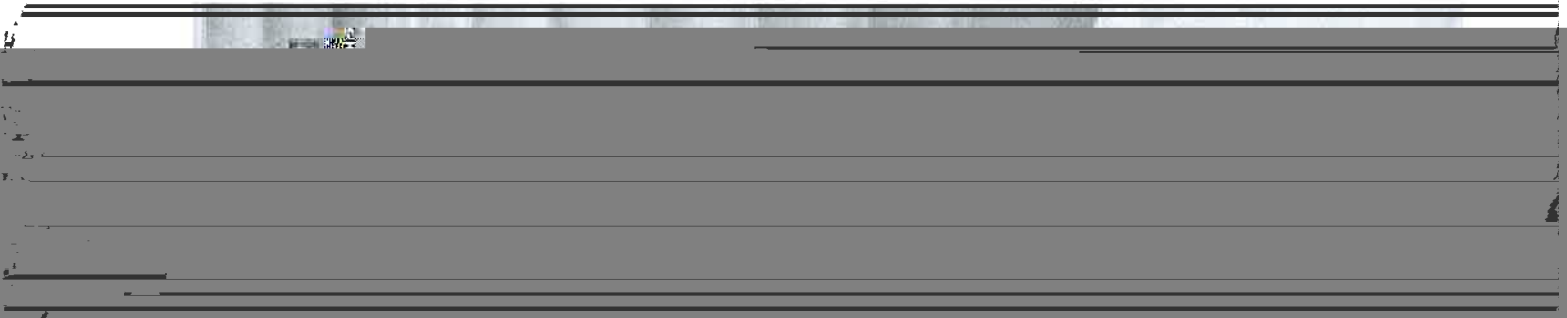
How To Manage Investigations Post-Regs, Hit the G.A.S.

Some courts and OCR want live hearings, and ATIXA's position is well-documented: we don't think overall that live hearings will improve resolution processes or create more accurate outcomes. We also believe that the way OCR is

suggest that recipients permit investigators to give opinions on whether policy was violated, when they testify at the hearing. And, we don't think decision-makers or parties should be allowed to ask about those opinions – they are not relevant. We don't think offline conversations between the investigator and decision-maker about conclusions or recommendations are wise.

We know each recipient needs to decide these questions for itself, and yes, it looks like OCR would permit these





For each issue find a claim raised by the respondent and to be relevant

Evidence may be relevant to the complainant's claim	Evidence may be relevant to the respondent's claim	Evidence should be considered by the complainant's claim
<p>1. Evidence that the complainant's claim is true or false</p> <p>2. Evidence that the respondent's claim is true or false</p> <p>3. Evidence that the respondent's claim is true or false</p>	<p>1. Evidence that the complainant's claim is true or false</p> <p>2. Evidence that the respondent's claim is true or false</p> <p>3. Evidence that the respondent's claim is true or false</p>	<p>1. Evidence that the complainant's claim is true or false</p> <p>2. Evidence that the respondent's claim is true or false</p> <p>3. Evidence that the respondent's claim is true or false</p>

Under evidence that is directly related to

Bucket #1

Bucket #1 is all evidence that the investigator determines is relevant and is therefore incorporated into the investigation report. Evidence is relevant when it tends to prove or disprove an issue in the complaint.

Bucket #2

OCR doesn't tell us what "directly related" means, or how it differs from relevant evidence. So, we came up with a description that makes sense to us: evidence is directly related when it is connected to the complaint, but is neither

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]