



## COMPLIANCE & INVESTIGATIONS POLICY #800-02 FILING OF COMPLAINTS AGAINST REGULANTS

Effective Date: March 5, 2010

Approved By:

- I. PURPOSE:** The purpose of this policy is to establish Department of Professional and Occupational Regulation guidelines for receiving complaints filed against regulants.
- II. POLICY STATEMENT:** Complaints against DPOR regulants shall be handled in accordance with § 54.1-307.1 of the *Code of Virginia*. The Department shall consider a complaint sufficient when the alleged facts, if shown to be true, would constitute a violation of law or regulation of any regulatory board within Subtitle II of Title 54.1 of the *Code of Virginia* or any of the programs which may be in another title of the Code for which any regulatory board within Subtitle II has enforcement responsibility.
- III. DEFINITIONS:** N/A
- IV. RELATED DOCUMENTS:** N/A
- V. GENERAL PROVISIONS:**
- A. COMPLAINT FILING DEADLINES**
- In order to be investigated by the Department, complaints shall be filed in accordance with the provisions of [§ 54.1-307.1 of the Code of Virginia](#).
- B. COMPLAINT FORMAT REQUIREMENTS**
1. All complaints shall be submitted in writing except for:
    - a. Situations where the complainant indicates that filing a written complaint will impose a hardship
    - b. Life-threatening situations or situations that have resulted (or have the potential to result) in harm, personal injury or loss to a consumer or the public
    - c. When the Department becomes aware of information indicating that a regulant has engaged in criminal activity that a regulatory board, through its regulations and applicable statutes, has determined may be related to the practice of the profession or occupation, for which disciplinary action may be taken.
  2. Anonymous complaints may be accepted.
- C. SOURCES OF COMPLAINTS**
1. Information obtained from the media or other public source or from any court or other public record/document shall be deemed equivalent to a written complaint.
  2. Written or verbal complaints resulting from information submitted to or obtained by any sworn investigator of the Compliance and Investigations Division indicating that a regulant has violated or is about to violate a law or regulation shall be accepted.
  3. Written or verbal complaints submitted by other law enforcement or regulatory agencies shall be accepted.

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| Policy Title: | Compliance & Investigations #800-02 Filing of Complaints Against Regulants        | Effective:         | 03/05/2010  |
| Submitted By: | David Dorner, Investigations Director   | Guidance Document: | Yes         |
| Supersedes:   | Enforcement #800-02 Filing of Complaints Against Regulants (Effective 02/10/2003) |                    | Page 1 of 1 |