

WAC 196-09-015 Complaint processing approach. The board processes complaints as follows:

(1) Anyone may submit a complaint against a licensed or unlicensed person alleging unprofessional conduct, unlicensed practice, or any other violations of chapter 18.43, 18.235, or 18.210 RCW. Complaints must be sworn to in writing and should include documentation of the alleged conduct.

(2) Upon receipt of the complaint, board staff will send an acknowledgment of the complaint to the complainant. If the subject of the complaint ("respondent") is a licensee, the board will notify the licensee respondent that a complaint was filed against them and include a copy of the complaint documents.

(3) Board staff will conduct an initial review of the complaint to determine whether the complaint raises a potential violation that would fall within the jurisdiction of the board's regulatory powers. If the complaint does not raise a potential violation of law within the board's jurisdiction, the complaint is administratively closed after recommendation to the board, and the parties are notified of the closure.

(4) If there is a potential violation, a case is opened, a case file is created, and an investigator and case manager are assigned. The respondent is notified, and a response to the allegations in the complaint is requested.

(5) The investigator will conduct a formal investigation which may include requests for documentation and interviews of the complainant, respondent, and other associated parties. All records gathered during the investigation will be placed in the case file.

(6) When the investigation is complete, the case manager will review and evaluate the case file with the investigator, and may ask additional questions of any party, or call for further investigation. When the case manager completes their review, they will draft a written report, which will include facts, possible violations and recommendation on the disposition of the case which may be case closure, case closure with remedial counseling, or issuance of charges.

(7) The board may resolve a complaint or investigation at any time during this process.

(8) If a complainant requests reopening of a closed complaint or investigation, the board may only do so upon receipt of additional evidence or information in support of the original complaint that is relevant to the allegations. Submission of additional documentation does not guarantee the complaint or investigation will be reopened.

[Statutory Authority: RCW 18.43.035. WSR 23-22-036, § 196-09-015, filed 10/23/23, effective 11/23/23; WSR 21-22-092, § 196-09-015, filed 11/2/21, effective 12/3/21.]