



NORTH CAROLINA SOCIAL WORK CERTIFICATION AND LICENSURE BOARD

Post Office Box 1043
Asheboro, North Carolina 27204

E-mail: swboard@asheboro.com
Website: www.ncswboard.org

Phone (336) 625-1679

Fax (336) 625-4246

NC Toll Free (800) 550-7009

Please read the following information carefully prior to filing your complaint and retain for future reference regarding the complaint review process. Depending on the complexity of the complaint, the review process may include formal investigation and may take a few months, up to a year or longer to complete. Your patience is appreciated during this process.

1. Complaints, the social worker's response and information gathered in connection with an investigation of a complaint are confidential. When the Board receives a complaint, it determines first if the complaint is "valid" (meaning, does the Board have jurisdiction over the matter and if the allegations are true, would it be a violation of the Statute and/or Rules governing social work practice in North Carolina?).
2. Upon receipt of a formal written complaint, an acknowledgement letter will be sent to the complainant; and the social worker will be notified and provided an opportunity to respond to the complaint.
3. The Complaint Review Process may take as little as a few weeks, up to several months or more depending on the complexity of the case, the availability of witnesses for interview, and access to necessary information. The review process is monitored by the Board's Assistant Executive Director to insure all complaints are addressed and subsequently resolved.
4. The complaint may also be assigned to a Subcommittee (usually two seated members of the Board) for review and possible resolution.
5. An investigator may be assigned to the complaint to gather additional information or to conduct a formal investigation. The investigator may or may not contact you for supplemental information. You may be asked to provide additional documentation or provide clarification of information you have already provided. It is important that the Board has your **current** contact information to insure that you may be reached by U.S. Mail or by phone.
6. The investigator may also interview the social worker against whom the complaint is filed, along with any other identified witnesses; and will gather and review documentation and/or any physical evidence deemed relevant to the complaint. Investigative interviews are generally done by phone.
7. If the matter is referred to an investigator, the investigator will prepare an investigative summary of the case.
8. The Subcommittee will review and make a recommendation such as: close unsubstantiated; close with a letter of concern; restrictions, limitations, or a formal disciplinary action through a voluntary consent agreement; or may request additional information or recommend proceeding to a formal administrative hearing. Subcommittee review is part of the investigative process and as such, is confidential and done in closed session.
9. When an investigation indicates that a violation appears to have occurred and formal action is required, the Subcommittee may seek to enter into a Consent Order with the social worker. A Consent Order is a mutually agreeable finding that contains applicable regulatory language outlining the facts of the case and the final disposition, which may or may not include adverse disciplinary action. The Consent Order is a public record. Information that identifies a client who has not consented to the public disclosure of services rendered to him/her by a person certified or licensed by this Board will be deleted from the public record. A copy of the Consent Order can be provided to the complainant. *[A Consent Order may not be offered in all cases; some may be referred directly to the Administrative Hearing Process.]*
10. If an amenable Consent Order is not reached with the social worker, the Board may notice the matter for formal hearing before the Board or the Office of Administrative Hearings. Complainants will be notified of the hearing date and may be asked to testify in the matter. The Notice of Hearing will outline the charges and schedule a date and time the matter is to be heard.

[Subcommittee members are recused from any formal hearing and will not participate or deliberate on the matter.]

11. Through the Administrative Hearing Process, the social worker has the right to call witnesses, present evidence, and cross examine the complainant. The social worker may represent themselves or may choose to be represented by counsel.
12. Testimony and evidence used during a formal hearing is considered public; however, the Board may redact from public record, the name of any individual/witness who is/has been the recipient of social work services provided by the social worker and does not wish to be publicly identified. The Board may also choose to close the hearing to the public to receive testimony from any individual who is/has been the recipient of social work services; however, the social worker may remain and is entitled to cross examination of any witness.
13. As a result of the hearing, the Board will determine what, if any, adverse/disciplinary action may be required/appropriate.
14. The complainant and the social worker are notified in writing regarding the final disposition of the complaint. As with all public documents, information that identifies a client who has not consented to the public disclosure of services rendered to him/her will be deleted from the public record document.



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COMPLAINT FORM

Please read the following sections from the North Carolina Administrative Code, Title 21, Occupational Licensing Boards, Chapter 63, Social Work Certification and Licensure Board, Section .0500-Ethical Guidelines, and Section .0600-Disciplinary Procedures. These can be found on the Board's website at ncswboard.org, or you may contact the Board at the number below for a printed copy.

Please: 1) type or print clearly, 2) do not write near (within one-half inch) of the edges of the paper to allow for complete copying of your information, 3) include a separate, narrative statement and timeline of what occurred along with any other information you wish the Board to consider as it addresses this matter, 4) Identify witnesses, sources of evidence, or other significant information, in "Sources of Evidence" below, or provide a separate listing.,

For any questions about this form or the complaint process, please contact the Board office, toll free at 1-866-397-5263.

We recommend that you keep a copy of the completed complaint for your records.

Complaint Against: _____

Address: _____

City, State, Zip: _____

License number _____ (call the Board at 866 397 5263, if you cannot locate this number)

Your Name: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

E-mail Address: _____

Data to be furnished by the Complainant

1. Statement of Complaint: The statement should respond to the criteria listed in Section .0500-Ethical Guidelines and should identify the actions that are violations of the ethics standards of the North Carolina Board established for licensed or certified social workers.

Please indicate the relevant subsections of Section .0500, and attach detailed, narrative description of the events and evidence supporting the complaint.

_____ .0501 PURPOSE AND SCOPE

(a), (b), (c), (d)

_____ .0503 GENERAL PROFESSIONAL RESPONSIBILITIES

(a), (b), (c), (d), (e)

_____ .0504 RESPONSIBILITIES IN PROFESSIONAL RELATIONSHIPS

(a), (b), (c), (d), (e), (f), (g), (h)

_____ .0505 RELATIONSHIPS WITH COLLEAGUES

(1), (2), (3), (4), (5)

_____ .0506 REMUNERATION

(a), (b), (c), (d)

_____ .0507 CONFIDENTIALITY AND RECORD KEEPING

(a), (b), (c), (d), (e)

_____ .0508 PURSUIT OF RESEARCH AND SCHOLARLY ACTIVITIES

(1), (2), (3), (4), (5), (6)

_____ .0509 PUBLIC STATEMENTS

(a), (b), (c), (d), (e)

_____ Other Concerns (describe in the narrative attachment).

2. Sources of Evidence: The complainant should list individuals (and their contact information, if known), who may be in a position to substantiate this report and should list any documentary sources of information that will support the complaint. Use a separate sheet if needed.

Please complete the signature page

Please complete the following Declaration:

I, _____, hereby file a complaint for consideration by
Complainant's Name

THE NORTH CAROLINA SOCIAL WORK CERTIFICATION AND LICENSURE BOARD against

_____.
Social Worker's Name

I have read and understand the ethics standards and disciplinary procedures of the North Carolina Social Work Certification and Licensure Board. I swear or affirm that the information provided herein is true, based on my personal knowledge or based upon information I believe to be true.

Confidentiality Limitations

I am aware that ethics complaints are considered confidential and are not disclosed to the public until and unless a Notice of Hearing, Consent Order, or Final Agency Decision is rendered. Open/active complaints (unless noticed for hearing) and unsubstantiated complaints are not public record.

I further understand that complaint materials are usually copied and sent to the social worker for response. The Board does not have the legal authority to withhold the identity of the complainant or anyone indentified in this complaint from the social worker. Should the complaint conclude in a public finding, the Board can only withhold from public disclosure the identity of any client who has not consented to the public disclosure of social work services provided to him or her by the applicant, certificate holder, or licensee.

Signature of complainant

Printed Name of the Complainant

Date v10

Please return completed form to:

**North Carolina Social Work Certification and Licensure Board
P. O. Box 1043
Asheboro, NC 27204**