

### Vermont Secretary of State

### Office of Professional Regulation

#### What Happens After a Disciplinary Complaint is Filed

1. Upon receipt of a complaint, the Case Manager will review the complaint to first determine if:
  - the professional activity requires a person to be licensed, certified, or registered;
  - the person being complained about is licensed, certified, or registered; and
  - the complaint could be considered unprofessional conduct based on the laws and rules related to the profession.
2. If any of the three criteria above are not met, the complainant will be notified that this is not within the jurisdiction of the regulating body.
3. If the three criteria are met, a case is opened and a number is assigned. This number will appear on all correspondence sent from this office about the complaint. If you contact this Office, please refer to your case file number.
4. A letter will be sent to the complainant indicating that the Office has received the complaint and has opened a case.
5. A letter will be sent to the licensee (we refer to the licensee as the “respondent”) indicating a complaint has been made. A copy of the complaint information will also be sent to the respondent.
6. The case will be assigned to an investigative team. The team is made up of:
  - a case manager
  - a staff investigator, and
  - board member or advisor

The team may also include a prosecuting attorney.
7. The complainant and respondent will be contacted by an investigator. Other people with knowledge of the complaint may also be contacted. The investigator will obtain copies of written documentation, and records relevant to the complaint.
8. The team will then review the investigator’s findings and prepare a recommendation. If the recommendation is to close the case without disciplinary action, it is submitted to the board or the Director. If the recommendation is to pursue disciplinary action, the Prosecuting Attorney will prepare formal charges.
9. The investigatory process above usually takes between 6 to 9 months to complete. If a decision is made to pursue discipline through formal charges and a hearing, this process can take an additional 5 to 10 months depending on the complexity of the case.
10. Although hearings and disciplinary actions are public, the investigative process is entirely confidential. If the decision is to pursue disciplinary action against the respondent, however, the names of the persons involved may become public. If the decision is to close the investigation without disciplinary action, the complaint and information collected will remain confidential.
11. Complaint investigations focus on licensure and fitness of the licensee to practice. Disciplinary action, when warranted, ranges from warning to revocation of license, based on the violations and circumstances. From this process, a complainant should not expect a return of fees paid or additional unpaid services as a result. If you seek restitution of this nature, consider consulting with the Consumer Protection Division of the Office of the Attorney General, seeing an attorney, or filing a case in Small Claims court.
12. At any time if you have questions you should feel free to contact the Case Manager assigned to your case.