

One of the Board's duties is to take complaints in writing from the public or other licensed social workers. There is a complaint application form that must be completed. It's available on-line or we can mail one to people interested. We must have the complaint form completed and signed; otherwise we cannot accept the complaint. The person filing the complaint must identify himself or herself for the Board to investigate the complaint.

We average about 10 complaints a year which doesn't sound like a lot but it can be very time consuming especially for the Board Member to whom the complaint is assigned and expensive for the Board paying for the Private Investigator's services and expenses.

**The following are the steps we take when a complaint is received:**

- The complaint is logged in on the computer with a assigned complaint number
- A certified letter is sent to the licensee along with a copy of the complaint allowing them the opportunity to respond within 15 days
- A copy of the complaint and the response (should one be received) is forwarded to the Committee appointed. The Committee consists of the Board Member selected (selection of the Board Member is on a rotation basis), the Executive Director, and the Board's Legal Advisor from the Attorney General's Office
- The Board Member looks over the complaint and the response (if one was made available) and makes the recommendation to the Committee on what steps to follow
- If there is adequate evidence to continue the Board Member determines if the complaint should be forwarded to the investigator, or if a violation was obvious and an agreement is possible between the licensee and the Board
- The Board Member may determine that there are no grounds to continue, in which case a letter is sent to both the licensee and the person filing the complaint that the complaint is being closed for the lack of violation according to the Administrative Code
- If a violation is found and an agreement is proposed on the complaint, a copy of the agreement is sent to the licensee to sign and return. The agreement is not complete until the entire Board has the opportunity to see the complaint and vote on its acceptance or denial. If the agreement is accepted the violation is reported to DARS (Disciplinary Action Reporting System) who in turn reports for the Board to HIPDB (Healthcare Integrity and Protection Data Bank)
- If the Board Member on the committee determines that additional information is needed to continue with the investigation the complaint is forwarded to the investigator on contract with the Board
- The Investigator will interview the person filing the complaint, the employer (if the licensee was practicing within an agency) and any other person listed as a witness. After this the investigator interviews the licensee. At the conclusion of the interviews the investigator will write a report of the findings and submit it to the committee.

- If after reviewing the report the committee feels evidence exists to file charges against the licensee a certified and first class letter is sent to the licensee outlining the charges and allowing them again the opportunity to respond to the charges.
- Should the response require additional investigation then the investigator is assigned to look into the case again
- If the charges go unanswered or the additional investigation brings no new grounds for charges a hearing date is set for the licensee to appear before the full Board and a certified and first class letter is sent to the licensee along with another copy of the charges explaining their rights
- If the additional investigation brings new charges to the complaint then the charges are sent to the licensee by certified and first class mail allowing them the opportunity to respond again
- If after a hearing the licensee is found guilty a report is made to DARS with ASWB (Association of Social Work Boards) who in turn reports for the Board to HIPDB
- The Board will post the violation on their web site at [www.socialwork.alabama.gov](http://www.socialwork.alabama.gov) listed under "Disciplinary Actions".
- If the licensee is found not guilty then the complaint is closed. Letters are mailed to both the licensee and the person filing the complaint informing them that the complaint has been closed and no further action will be taken.
- A complaint that is not substantiated against a licensee is **not** considered public record. It is maintained in the Board's office but is not available to the public and is not a part of the licensee's file. However, when a licensee is found to be guilty as charged their complaint is considered public record and becomes part of the licensee's file in the Board office and is available to interested parties.

