

NORTH CAROLINA MEDICAL BOARD

Attn: Judie Clark

PO Box 20007, Raleigh, NC 27619

Complaint Department Telephone Numbers

(919) 326-1109 or 1-800 253-9653, Extension 236 or 232

E-mail: complaints@ncmedboard.org

Look up a licensee via our website: www.ncmedboard.org

COMPLAINT FORM (website)

The North Carolina Medical Board is responsible for the licensing and discipline of **physicians, physician assistants and nurse practitioners** (referred to as licensees in this form). If the Board finds a licensee has violated the North Carolina Medical Practice Act, it can take disciplinary action following due process and the opportunity for a public hearing. **The Board does not have any authority over fee disputes, disability ratings and certain other matters outside its jurisdiction.**

- 1) Complete the requested information below. **If you have a complaint relating to more than one licensee you will need to complete a separate form for each licensee.**
- 2) Complete the medical record authorization form so necessary records can be requested if applicable to your complaint.
- 3) **A copy of this complaint will be forwarded to the licensee identified below for his/her review and response to the Board.**

INFORMATION ABOUT YOU

Your **FULL** Name:

(Mr Mrs Ms)

Your Address:

Your **Daytime Phone#**

Patient's **FULL** Name:

(**if** different from above)

Your **EMAIL** Address:

INFORMATION ABOUT THE LICENSEE

(The Board has no authority over hospitals and other types of healthcare providers, i.e., nurses, dentists, etc.)

Licensee's **FULL** Name:

(MD, DO, PA or FNP)

Licensee's Address:

Licensee's Telephone #:

NORTH CAROLINA MEDICAL BOARD

Attn: Judie Clark

PO Box 20007, Raleigh, NC 27619

Complaint Department Telephone Numbers

(919) 326-1109 or 1-800 253-9653, Extension 236 or 232

E-mail: complaints@ncmedboard.org

Look up a licensee via our website: www.ncmedboard.org

MEDICAL RECORD RELEASE AUTHORIZATION

You must complete each section where there is an arrow symbol

NAME OF LICENSEE or PRACTICE THAT IS TO RELEASE INFORMATION TO THE BOARD:



NAME OF AGENCY TO WHOM THE INFORMATION IS TO BE RELEASED:

North Carolina Medical Board

PO Box 20007

Raleigh, NC 27619

I hereby request and authorize the licensee or practice noted above to release a copy of the my/the patient's medical records for the purpose of reviewing my complaint. This information should include but is not limited to: patient histories, discharge summaries, operative notes, office notes, examination and test results and any reports or information prepared by other persons that may be in your possession.

I understand that this authorization is voluntary. I understand that the agency receiving the information is not a health plan or health care provider and that the released information may no longer be protected by federal privacy regulations. I understand that I may revoke this authorization at any time by notifying the *providing* organization, except to the extent that action has already been taken to comply with it. This consent will automatically expire within one year from the date of signature.



Print FULL Name of Patient



Patient's Date of Birth



Signature of Patient or Legally Responsible Person



Today's Date

FAQ: Filing a complaint with the NC Medical Board

This document is designed to answer questions you may have about the complaint process and the Board's duty to regulate physicians, physician assistants and other medical professionals for the benefit and protection of the people of North Carolina.

What kinds of issues can the Medical Board address?

The Board is authorized to act only on complaints that may involve a violation of the Medical Practice Act, a state law that covers a wide range of misconduct. Three types of cases account for more than half of the Board's public actions against providers: quality of care, prescribing (either self-prescribing or improperly prescribing to others) and cases where a provider is impaired due to alcohol or substance abuse. Many other disciplinary cases fall under the broad category of "unprofessional or unethical conduct", such as violating patient confidentiality, misrepresenting professional credentials or practicing without an active medical license. Problems with medical recordkeeping and sexual misconduct or other boundary violations account for many cases as well.

What are some examples of issues the Medical Board cannot address?

Many issues that are important to consumers do not fall within the Board's jurisdiction because no violation of the Medical Practice Act is present. Dismissal from a medical practice, provided it complies with Board guidelines, does not violate the Act. Many financial and interpersonal issues also are outside the Board's reach. The Board cannot help a patient sue a provider for money, settle fee disputes, resolve issues about disability ratings and compensation or mediate personality conflicts among patients, doctors and office staff.

Will filing a complaint resolve the problem I have with my provider?

Most likely, no. The Board does not intervene on behalf of individual patients. Rather, it acts for the people of North Carolina at large. When the Board takes action against a provider, that action is aimed at preventing future problems and protecting future patients. Your complaint, therefore, can play a significant part in protecting the people of North Carolina from incompetent, unqualified, or unethical practitioners.

Will my provider dismiss me from their practice if I file a complaint?

The Board has found that some licensees choose to dismiss patients who file complaints. Provided they follow all appropriate laws and guidelines, this is within the provider's rights.

Once I file my complaint, what happens?

Here is a brief description of the complaint review process:

- Complaints are generally acknowledged within 2 weeks via USPS.
- All complaints are initially reviewed to determine if there is a possible violation of the Medical Practice Act that rises to the level of further inquiry.
- If the conduct that prompted the complaint is not found to be a violation of the Medical Practice Act, you are informed of this in your initial letter and the case is closed. However, the licensee is informed of your complaint and the information is kept on file.
- If a possible violation has occurred and further inquiry is warranted through the Complaint Department a copy of your complaint is sent to the licensee for review and response to the Board; medical records are obtained as necessary.
- Typically your written complaint serves as your full statement and you will not be contacted by the Board unless clarification or additional information is needed.
- Case reviews are done by medical and non-medical persons once all information is obtained to determine level of discipline, if any.
- The complaint review process can take up to six (6) months or more.

What are the possible outcomes of my complaint?

Complaints are most often resolved in one of three ways.

- No formal action. Typically, this is the result when no violation of the Medical Practice Act has occurred. However, the provider is notified and the information is kept on file. This allows the Board to spot recurrent issues or a pattern of behavior that may cause the Board to intervene in future.
- Private action is taken. There may be no violation of the Medical Practice Act that warrants public disciplinary action, but the Board is nonetheless concerned about some aspect of the provider's conduct or performance. In such cases, the Board takes private disciplinary action, such as a confidential letter of concern to the provider that cautions against repeating similar conduct. Alternatively, licensees may be brought before the Board for a private interview. The contents of the letter or interview are confidential.
- Public action is taken. In these cases, the Board determines there was a violation of the Medical Practice Act and formal public disciplinary action is taken. This may be in the form of a public letter of concern, a consent order reprimanding the provider or imposing conditions on his or her medical license.

How likely is it that my complaint will result in formal discipline?

It is important to understand that most complaints do not lead to formal discipline, for reasons described above. Only about one percent of the 1,200 complaints received annually result in public action being taken against the provider's license. In another 30 percent of cases, the complaint leads to private discipline, such as a confidential letter expressing the Board's concern and cautioning against similar conduct in future. When no formal action is taken, the Board keeps a copy of the complaint in its permanent file. This file is an important resource that helps the Board track providers over time and detect patterns of behavior that might warrant future intervention.

What types of punishment do disciplined providers receive?

Private disciplinary actions are described above. The Board is authorized to mete out a wide range of public disciplinary actions that limit, suspend or even revoke the right to practice. A medical license is revoked only in the most serious cases where the provider's conduct or level of competence is considered to pose a threat to public health and safety. Far more often, the Board acts to restrict the license by imposing conditions aimed at preventing future problems. For example, a physician disciplined for prescribing narcotic painkillers without adequately documenting the need or taking steps to prevent addiction might be barred from prescribing such drugs for a set period and required to complete continuing medical education on managing chronic pain. In some cases, the Board determines no action against the provider's license is warranted but issues a public letter of concern. All final disciplinary actions are noted on the Board's Web site, www.ncmedboard.org

What types of providers may I file a complaint with the Medical Board about?

The Board licenses and regulates medical doctors (MDs), doctors of osteopathic medicine (DOs), physician assistants (PAs), nurse practitioners (NPs), clinical pharmacist practitioners (CPPs), perfusionists and anesthesiologist assistants. The Board accepts and reviews complaints about any of its licensees. Please note that the Board licenses individuals, not institutions. The Board is not authorized to handle complaints against hospitals or other health care organizations.

How do I track the status of my complaint?

For a status report, send an email to complaints@ncmedboard.org or send a letter to the Board's Complaint Department at P.O. Box 20007, Raleigh, NC 27619-0007. Be sure to include your name and the complaint identification number (cid#) with your email or written correspondence. You will find the cid# at the bottom of the letter sent in acknowledgement of your complaint.

Still have questions? Call the Complaint Department at 919-326-1109 or 800-253-9653 and select ext. 236 or 232. Or, email your questions to the complaint staff at complaints@ncmedboard.org