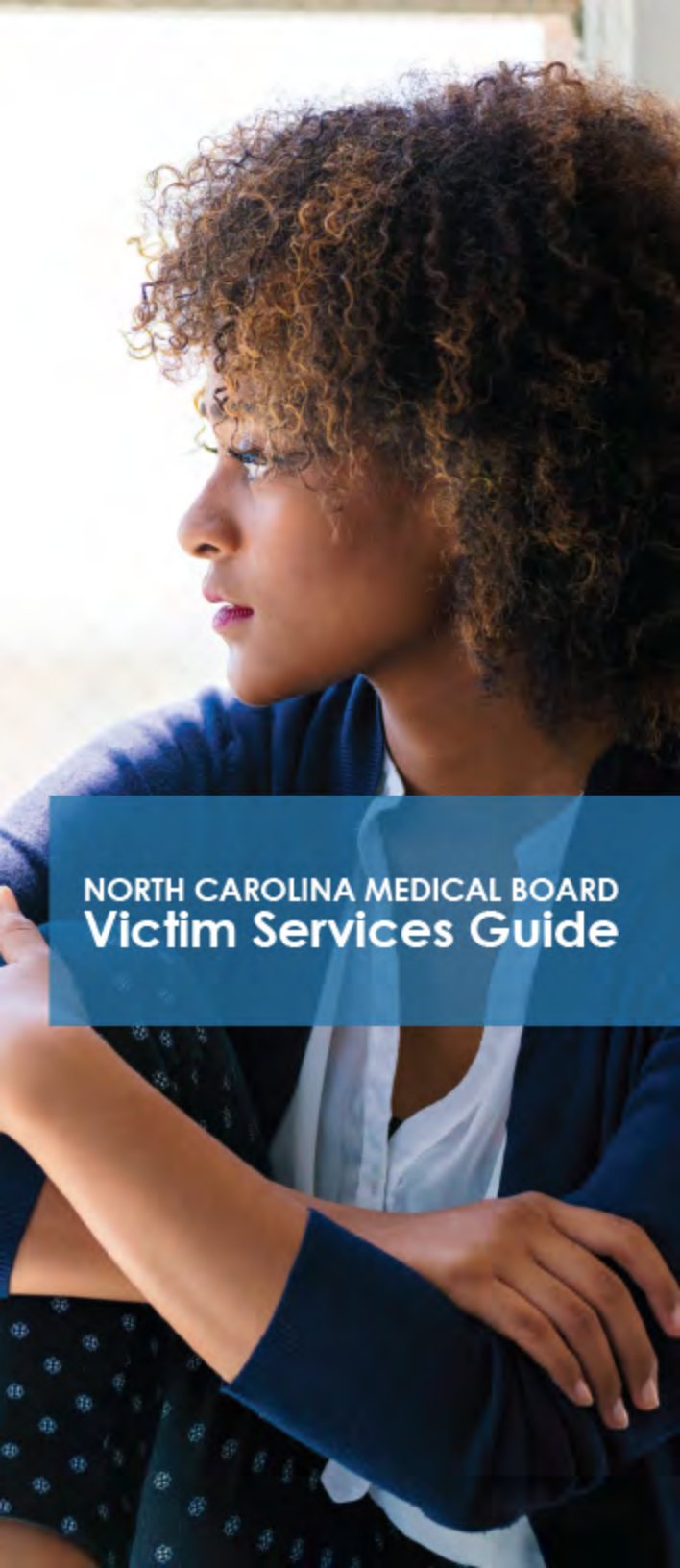

NORTH CAROLINA MEDICAL BOARD
Victim Services Guide

Public protection starts with notifying the Board

By reporting sexual misconduct on the part of a licensed physician or physician assistant, you have given the Board the opportunity to address unethical and inappropriate behavior, and prevent similar incidents from happening in future. The Board investigates all allegations thoroughly.

Regardless of the outcome of your case, the Board wants to ensure that you receive appropriate assistance, such as counseling, treatment and emotional support. Our Victim Services Coordinator will assist you with this and more.

The Victim Services Coordinator will:

- Direct you to available assistance and resources in your area and check in periodically to determine if you have received needed services;
- Guide you through the Board's investigative and case review processes, provide updates on case status and answer basic questions about the process;
- Be a continued resource even after your case has been investigated and resolved.

The Victim Services Coordinator is not involved in the investigation of your case and most likely will not know many details. Detailed questions should be directed to the Board Investigator assigned to the case.

NORTH CAROLINA MEDICAL BOARD

You are not alone.

Ways you may assist with your case

To ensure that the Board has all the information it needs to complete its investigation, you may be asked to discuss the incident that led you to file a complaint. Interviews may occur at different stages of the investigative process.

Interactions with the Board investigator

After reporting an incident to the Board, you may be contacted by a Board investigator and asked to be available for a personal interview at a location convenient for you.

When formal testimony is needed

In cases where the Board's investigation determines that a violation may have occurred, the Board may prosecute the case to hold the medical professional involved accountable for his or her actions. The Board may seek to settle the case by reaching an agreement that may impose discipline, limitations and/or conditions on the physician or physician assistant. Most enforcement cases are resolved through settlements.

If the case cannot be settled, the Board may hold a hearing, which is a process much like a trial. If this happens, you may be asked to provide testimony. The Board attorney assigned to your case will determine whether

you should be called as a witness, and will determine the best way for you to provide testimony. Options may include providing live testimony in the hearing room at the Board's offices in Raleigh, or providing prerecorded video testimony. Hearings are public proceedings, but you may request that your testimony be given in private if you do not wish your identity to be known by anyone not directly involved in the case.

Case resolutions

It is important to understand that public (disciplinary) action is not taken in all cases. Whether your case results in public action depends on multiple factors, including the quality of the evidence the Board is able to gather and whether, based on the evidence, the Board determines that a violation of the law may have occurred.

The Victim Services Coordinator is your guide and support throughout the regulatory process.

The Board's case review process

The investigation, review and case resolution process may take several months to complete. The steps are described below.

1. **Complaint/Information Received**
2. **Investigation Conducted**
3. **Staff Review & Recommendation** – Is there credible evidence of a violation? How should the Board address it?
4. **Board Disciplinary Committee Review and Recommendation** – Does the Committee accept the staff recommendation? If no, Committee may recommend a different case resolution.
5. **Board Deliberation and Vote** – Does the Board accept the Committee recommendation? If yes, Board votes to confirm; If no, Board may recommend different resolution or ask for more information.
6. **Case Resolution** – Staff carry out the Board's decision. Possible resolutions include public action, private action or no formal action. Cases that result in public action may be resolved with a settlement agreement or following a hearing.

Resources

NC Medical Board Victim Services page

Information and sources for victims of sexual assault/misconduct

www.ncmedboard.org/VictimServices

NC Victim Assistance Network

Search statewide or by region in NC to identify available services

www.ncvan.org/resources

NC Department of Health and Human Services Crisis Solutions

Search by county in NC to identify available resources

www.ncdhhs.gov/assistance/crisis-solutions

Have questions or need additional information on this program?

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