

Complaint received by BOVM

Executive Director (Ex. Dir.) reviews complaint with Liaison Officer (L.O.) if question about jurisdiction.

If no jurisdiction, Ex. Dir. sends letter to complainant stating no action will be taken.

If allegations indicate jurisdiction, investigation initiated.

Ex. Dir. sends letter to complainant informing complaint received.

Ex. Dir. sends letter to respondent to request patient records and written response to complaint.

When response received, Ex. Dir. sends copy of complaint and response to L.O. for review. If feasible, the Board President assists the L.O. in initial review.

**No Violation(s)**

If review does *not* reveal evidence to support the allegations, L.O. closes file.

**Potential Violation(s)**

If review reveals support for the allegations, L.O. directs Ex. Dir. to send to investigator for further investigation.

**Recordkeeping or Continuing Education Requirement Violation(s)**

If review reveals a violation of recordkeeping or CE requirements only – in lieu of disciplinary action, L.O. directs Ex. Dir. to prepare letter pursuant to I.C. § 54-2118(1)(b) for L.O.'s signature, after review by Board's General Counsel.

Ex. Dir. drafts letters for L.O.'s signature and letters are sent to complainant and respondent stating file is closed without action.

Ex. Dir. makes copy of file and sends to investigator for further investigation.

Respondent rejects letter; file referred for prosecution.

Respondent agrees to non-disciplinary action under I.C. § 54-2118(1)(b); file closed. \*

Board investigator conducts investigation and submits original investigative report and all original evidence collected to Ex. Dir.

1) Ex. Dir. sends investigative report and materials to L.O.; 2) L.O. reviews file and directs closure of file, or non-disciplinary action per I.C. § 54-2118(1)(b), or referral of original case file to the Attorney General's Office (AGO) for prosecution.\*

Ex. Dir. drafts letters for L.O.'s signature and letters are sent to complainant and respondent stating file is closed without action.

Prosecutor reviews original case file, meets with L.O. and Ex. Dir., and recommends either closure, or non-disciplinary action per I.C. § 54-2118(1)(b), or prosecution.\*

Ex. Dir. drafts letters for L.O.'s signature and letters are sent to complainant and respondent stating file is closed without action.

**Prosecution**

**Settlement**

**Formal Administrative Complaint**

Prosecutor offers respondent stipulation for settlement.

1) Prosecutor prepares administrative complaint; 2) L.O. signs; 3) Ex. Dir. files and serves.

Respondent signs stipulation

Respondent does not sign stipulation

• Respondent files Answer to Complaint  
• BOVM holds evidentiary hearing

• Respondent does not file Answer to Complaint  
• Prosecutor applies for default

Board reviews and accepts or rejects stipulation.

Respondent files Answer

Default Process

Board enters approved Consent Order or Final Order

**Legend**

● Investigation

● Prosecution

● Board Resolution

**Disclaimer:** this flowchart is an internal general guidance document only. The Board, its members, staff and agents may deviate from the flowchart process in their discretion when circumstances warrant. The flowchart creates no legal rights in licensees or the public.

\* The non-disciplinary option per I.C. § 54-2118(1)(b) may be considered at various stages of the process.