

21 NCAC 10 .0503 DETERMINATION OF PROBABLE CAUSE

(a) General. Complaint allegations that could be considered violations of the Board's Practice Act, based on the findings of the Investigative Report, shall be referred to the Disciplinary Review Committee (DRC). The DRC shall conduct an informal conference with the party in order to consider the possibility of resolving the complaint.

(b) Composition of the DRC. The DRC shall be composed of:

- (1) The Board Secretary; and
- (2) Either a former Board member or a licensee from among those who, at any election held pursuant to Rule .0103(c) of this Chapter, have been elected nominees for Board membership but not appointed to the Board. The Board Secretary shall select the second DRC member.

(c) The Board Secretary shall preside over the conference.

(d) Action by the DRC. The DRC shall dispose of each complaint charge as follows:

- (1) Dismissal of the complaint with no action;
- (2) Non-Disciplinary Letter of Caution;
- (3) Resolution by settlement; or
- (4) Scheduling for contested case hearing and whether the case shall be set before either the Board or an Administrative Law Judge in accordance with G.S. 150B-40(e).

*History Note: Authority G.S. 90-141; 90-142; 90-143; 90-154;
Eff. December 1, 1988;
Amended Eff. October 1, 2016;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;
Amended Eff. October 1, 2022; January 1, 2020.*