

21 NCAC 63 .0602 INVESTIGATION

(a) Any person who has reason to believe that a social worker has violated the laws governing the practice of social work may file a complaint with the Board. Anyone wishing to file a complaint shall file a form with the Board office that contains the following information:

- (1) the complainant's name and contact information;
- (2) the name, contact information, and license number of the social worker about whom the complainant wishes to file the complaint;
- (3) a narrative of the facts about which the complaint relies;
- (4) identification of the statutes or rules that were allegedly violated, if known;
- (5) identification of the individuals and their contact information who may have information to support the complaint;
- (6) identification of any documents that may support the complaint; and
- (7) the complainant's affirmation that:
 - (A) the complainant has read and understands the ethics standards and disciplinary procedures of the Board, which are available on the Board's website at <https://www.ncswboard.org>;
 - (B) the information provided by the complainant is true, based on the complainant's personal knowledge, or based upon information that the complainant believes to be true; and
 - (C) the complainant is aware that the social worker about whom the complaint is filed shall be made aware of the complaint and when the complaint may be disclosed as a public record; and
- (8) the complainant's signature and the date when the complaint is made.

(b) Upon receipt of a complaint, the Board shall notify the social worker against whom the complaint was filed, noting the report of a violation and the specific rule or statute brought into question.

(c) Upon receipt of a complaint, the Board, its staff, or designee(s) shall determine whether more information or evidence is needed to show whether a person certified or licensed by the Board has violated any provision of G.S. 90B or the rules of this Chapter. If more information or evidence is deemed necessary, the Board, its staff, or designee(s) shall conduct an investigation.

(d) The complainant and social worker against whom a complaint was filed shall be notified in writing of the Board's decision as to whether an investigation is warranted.

(e) The Board may initiate its own complaint and conduct an investigation of a suspected violation if the Board obtains information tending to show that a violation of G.S. 90B or the rules of this Chapter has occurred.

(f) Any Board member who conducts the investigation of a specific case shall not participate in the Board's adjudication of that case.

*History Note: Authority G.S. 90B-6; 90B-11;
Eff. September 1, 1989;
Temporary Amendment Eff. October 1, 1999;
Amended Eff. July 1, 2000;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 19, 2015;
Amended Eff. October 1, 2021.*