

SECTION .0500 - DISCIPLINARY ACTION AND PROCEDURE

21 NCAC 69 .0501 IMPROPER PRACTICE BY LICENSEE

(a) Duty of the Board. When the Board becomes aware of a complaint, it shall send a "letter of inquiry" to the soil scientist involved and to the complainant. The soil scientist shall reply to this and any other inquiry of the Board within 30 calendar days. Failure to respond shall constitute violation of the rules in this Chapter. After receiving and considering the response from the soil scientist, the Board may send additional letters of inquiry to the soil scientist and other persons involved.

(b) Findings of the Board. Upon consideration of responses to inquiries, the Board shall determine what action shall be taken:

- (1) if the Board determines that no disciplinary action is necessary, all parties previously contacted shall be so informed;
- (2) if the Board determines that the infraction is deemed minor, then the licensee may be offered a "letter of warning". This "letter of warning" shall note the licensee's acceptance of such action by the Board and shall specify the Board's cause for concern. Other persons previously contacted shall be informed that the Board has acted upon the matter;
- (3) if the Board determines that a formal hearing should be held, G.S. 150B is applicable;
- (4) if the Board determines that another person involved is licensed by the State, relevant information shall be sent by letter to the respective professional board.

*History Note: Authority G.S. 89F-5; 89F-18; 89F-20; 89F-22;
Temporary Adoption Eff. May 15, 1996;
Eff. April 1, 1997;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 16, 2014.*