

## **21 NCAC 17 .0502 COMPLAINTS**

- (a) Anyone may complain to the Board alleging that a person, applicant, or licensee has committed an action prohibited by Article 25 of Chapter 90 of the General Statutes or the rules of the Board.
- (b) Complaints may be submitted to the Board by completing the Board's complaint form online at [www.ncbdn.org/file-a-complaint](http://www.ncbdn.org/file-a-complaint) or a paper form may be requested by contacting the Board office. Paper forms may be delivered to the Board by mail or hand-delivery at 1135 Kildaire Farm Road, Suite 200, Cary, NC 27511.
- (c) Each complaint submitted shall set forth specific facts and circumstances known to the complainant relating to the Dietetics/Nutrition Practice Act or the Board's rules, and the conduct or competence of each person who is the subject of the complaint.
- (d) Anonymous complaints are not investigated unless, if upon preliminary review of the contents of the complaint by Board staff, it appears the allegation(s) indicate a violation of the Dietetics/Nutrition Practice Act or the Board's rules, sufficient identification information for the person who is the subject of the complaint is provided, and there is sufficient information to substantiate allegation(s).
- (e) Investigations may be conducted by the Board staff or by other persons authorized by the Board.
- (f) Upon receipt of a complaint, the Board shall confirm receipt of the complaint to the complainant.
- (g) The Board staff, or its authorized Investigator, shall assign a complaint number to the initial complaint, review the contents of the complaint, and conduct a preliminary review of information to determine whether an individual's conduct or competence relates to the Dietetics/Nutrition Practice Act or the Board's rules.
- (h) If preliminary information in the complaint does not relate to an individual's conduct or competence under the authority of the Dietetics/Nutrition Practice Act or the Board's rules, the Board staff, or its authorized Investigator, shall close the complaint and send notice to the complainant. If applicable, the Board staff may refer the complainant to the appropriate governmental agency for handling such complaints. No further action shall be taken by the Board.
- (i) If the information about an individual's conduct or competence appears to be under the authority of the Dietetics/Nutrition Practice Act or the Board's rules, Board staff, or its authorized Investigator, shall open an investigative case and begin an investigation of the matters described in the complaint.

*History Note: Authority G.S. 90-356; 90-363;  
Eff. January 1, 2023.*