

DEPARTMENT OF HEALTH PROFESSIONS - DIRECTIVES

DIRECTIVE NO.: 4.1

EFFECTIVE: _____

SUPERSEDES: _____

APPROVAL: _____

4.1 Receipt and Investigation of Allegations of Misconduct

Purpose: Assure the appropriate handling of allegations of misconduct against licensees.

Policy: All allegations of violations of applicable law or regulations shall be received and logged in by the Department's Division of Enforcement.

Only sworn personnel duly authorized by the Director may conduct any investigation of alleged violations involving the Department of Health Professions.

Procedure: Upon receipt of information indicating a violation, it shall be referred to the Enforcement Division's Intake Unit as soon as possible. This shall be interpreted broadly to include any information which may indicate a violation, including but not limited to newspaper articles and media reports, consumer complaints, and reports from board members. It shall also include all reports made in accordance with Section 54.1-2906, 54.1-2907, 54.1-2908, 54.1-2909, 54.1-3206, and 54.1-3810, and like provisions of the Code or other law.

It shall be the duty of that unit to initially determine if the matter warrants investigation. Matters warranting investigation shall be reported as soon as practical upon completion of investigation to board or boards having jurisdiction.

Matters which, in the opinion of the Intake unit, do not warrant investigation, shall be referred in writing to the board executive having jurisdiction for review by the Board. Should the Board believe that the matter requires investigation, it shall be returned to the Division of Enforcement for that action along with an explanation of the Board's recommendation.

Only staff authorized by the Director in accordance with § 54.1-2506 of the Code shall conduct investigations.

Nothing contained in this directive shall be applicable to investigations to determine compliance with board orders, background investigations to determine the fitness of an individual for licensure, or scheduled inspections of facilities or practices within the jurisdiction of a regulatory board.