

Complaint submitted to NAADAC/NCC AP

Complaint received at NAADAC/NCC AP

Step 1: Log Complaint. All Complaints are confidential.

Step 2: Determine if Respondent (person complaint is filed against) is a NAADAC member and/or is NCC AP certified.

Step 3: NAADAC has up to 45 days to acknowledge initial complaint.

Step 4: Complaint is forwarded to Chairs of NAADAC & NCC AP Ethics Committee.

If Respondent is not a member of NAADAC and/or NCC AP the Complainant is notified by the Ethics Committee that NAADAC has no jurisdiction and offers recommendations for further potential action on Complainant's part.

If Respondent is a member of NAADAC and/or NCC AP the Complaint is read by Ethics Committee to make a determination of facts.

If the issue is outside of the jurisdiction of the Code of Ethics, the Complainant is told that the issue of concern is not a matter that can be addressed by NAADAC or NCC AP and is given resources to consider for further potential action.

***Ethics Committee has up to 60 days to review and determine appropriate steps.**

If the issue is under the jurisdiction of the Ethics Committee, the Complaint is read by Ethics Committee to determine the issues and how the Committee shall proceed.

*** Ethics Committee has up to 60 days to review and determine appropriate steps.**

If supporting documentation is missing, documentation will be requested along with any other requests.

If the complaint must be addressed by state regulatory and licensing board first, the Complainant will be notified to file with state authorities and send the findings and conclusions to NAADAC.

Once findings and conclusions of state authorities and all supporting documentation are submitted to the Ethics Committee, the Ethics Committee will send a letter to the Respondent notifying them that a Complaint was filed against them. The Respondent is given a copy of the Complaint. The Respondent has 30 days to respond to the Complaint. The response is forwarded to the Ethics Committee for their determination.

The full Ethics Committee is convened to discuss case and determine next steps/actions

***The Ethics Committee has up to 60 days to determine next steps/action.**

The Respondent has 30 days from receipt of decision to file an appeal to the Ethics Committee.

***The Ethics Committee has up to 60 days to set a hearing for the Respondent.**

Within 21 days of the Hearing the Ethics Committee shall file their findings.

OCDP Board Grievance Policies

You may file a grievance if you believe someone who is licensed or certified with the Ohio Chemical Dependency Professionals Board has violated the law, rules or ethical standards governing the practice of Chemical Dependency professionals. Grievances must be submitted in writing using an Ethics Grievance Form located on the OCDP Board's website <https://ocdp.ohio.gov/about/enforcement>.

You can send the Grievance Form to the Board by:

- Fax: (614) 387-1109
- Email: info@ocdp.ohio.gov
- Mail: Ohio Chemical Dependency Professional Board
 - Vern Riffe Building
 - 77 S. High St.
 - 16th Floor Columbus OH 43215

You should file a written grievance if a licensed or certified Chemical Dependency Counselor has:

Abused or mistreated you or any client in any way, verbally, financially, or sexually.

Developed a multiple relationship with a client.

Fraudulently billed for services.

Treated you or any client while under the influence of alcohol or drugs.

Released information without your consent.

Been negligent in your treatment or in the treatment of any client.

Shown an inability to practice safely and competently for any reason.

Violated any Ethics Codes listed in OAC 4758-8-01.

The Board has the authority to discipline any licensed or certified professional with the OCDP Board. All grievances are reviewed by the Investigative Team to assess jurisdiction and severity. If warranting investigation, grievances are set up as official investigations and assigned an Investigator. Through an investigation process that may include interviews, research, subpoenaing documents, or legal consultation, the allegations are substantiated or dismissed. All investigations are confidential.

The Board's Ethics Committee reviews all investigations. The committee may decide that it should investigate the grievance further, or the committee may take action based on the findings of the investigation. If the investigation shows that a licensed or certified

professional with the OCDP Board has violated laws, rules, or ethical standards they may face:

- Disciplinary action, including a written reprimand, suspension or revocation of the license or certificate.
- Additionally, the Board may require the licensee to take part in appropriate therapy or treatment for an impairment violation. Or offer engagement in the Board's safe haven program.

If you are filing a grievance against a licensed or certified professional with the OCDP Board you may choose to file it anonymously by marking "yes" on the grievance to the third question on page two, "Do you want to remain anonymous?" The Board Investigator may still need to contact you for more information regarding your filed grievance even if you mark "yes."

If you are a licensed or certified counselor with the Ohio Chemical Dependency Professionals Board and have a grievance filed against you then you will have an opportunity to provide the Board with a written statement. A redacted copy of the grievance will be mailed to your residence and you will have fifteen (15) days to respond to that grievance in writing. During the investigation, the Board Investigator may reach out to you for additional information, documentation, physical evidence, clarification or to schedule an interview. As a licensed or certified Chemical Dependency Counselor you are required by the Ethics Code to participate in a Board investigation. Failing to participate in a Board investigation could lead to a sanction.

Once the investigation is completed and a decision has been made by the Board you will be contacted.

Depending on the complexity of the grievance, the investigative process may take several months or even up to a year or longer to complete. The process varies case by case. Your patience is appreciated during this process.

When an investigation indicates that a violation appears to have occurred and formal action is required, the Board may seek to negotiate a Consent Agreement, which must be approved by both the licensee/certificate holder and the Board. The Consent Agreement usually contains the applicable regulatory language and any disciplinary action(s) agreed upon. The Board will approve the Consent Agreement at the first regularly scheduled meeting following receipt of the signed Consent Agreement. Disciplinary action is posted on the Board's website and reported to the National Practitioner Data Bank.

If the licensee/certificate holder and the Board are not able to negotiate an acceptable Consent Agreement, the Board may file formal charges, which are presented in a document titled "Notice of Opportunity for Hearing." If the Board approves such charges, the licensee/certificate holder may request a public administrative hearing which is heard by the Board's Hearing Officer or the Board.

If an administrative hearing is scheduled, the person who filed the grievance may be subpoenaed as a witness to provide testimony. In such a case the Assistant Attorney General assigned to the Board will assist and guide the preparation of witness testimony and presentation of documentation. The licensee/certificate holder also has the right to call witnesses and present evidence and examine the complainant.

All testimony and evidence used during a formal administrative hearing is considered a public record. The public record can be viewed by any individual who requests to do so. Medical records (including mental health and treatment records) are typically protected and will not become public records unless under the order of the court.

As a result of the hearing, the Hearing Officer or Board may determine what disciplinary action may be required/appropriate to address the concerns, if any. The licensee/certificate holder has the right to appeal the Board's decision through the courts.

The Licensee/certificate holder will be notified in writing regarding the outcome after the decision is made.