

State of Arizona Board of Chiropractic Examiners

1951 West Camelback Road, Suite 330 • Phoenix, Arizona 85015

Voice: (602) 864.5088 FAX (602) 864.5099

TTY (800) 367-8939 (AZ Relay Service)

www.chiroboard.az.gov

To Whom It May Concern:

Enclosed you will find the complaint form you requested. Please provide your name, address, daytime telephone number, as well as the name and address of the chiropractor. When writing your narrative, be sure to include dates of treatment and an explanation of what you feel the chiropractor did wrong. The information requested is essential in conducting a thorough investigation of the allegations. Failure to provide needed information may result in the return of your complaint form. You may include as many pages of comments and supporting documents as you feel are necessary.

Although the Board accepts anonymous complaints, state law requires that you provide your name. Your identity will be kept confidential from the public however the Board may be compelled to release your name to the doctor involved in your complaint.

Upon receipt of your complaint, a copy will be sent to the chiropractor with instructions to respond in writing. A copy of the chiropractor's written response will be mailed to you for your review and at that time, you may provide additional comments to the Board. Your complaint will be placed on a future agenda for the Board to review and determine what action, if any, is necessary. You will be notified of the Board's meeting date, time, and location and are welcome to attend and discuss the complaint with the Board.

Please review the enclosed brochure that provides further details on the complaint process. If you have additional questions, you may contact the Board at 602.864.5088.

Sincerely,
Pamela J. Paschal
Executive Director

Enclosure: Complaint form
Complaint Information Pamphlet

**STATE OF ARIZONA
BOARD OF CHIROPRACTIC EXAMINERS**

COMPLAINT FORM

Name:
Address:
City, State, and Zip Code:
Home Telephone #:
Work Telephone #:
Doctor's Name:
Doctor's Address:
Patient's Name:

Please attach your written complaint, to this form and return to:

*State of Arizona Board of Chiropractic Examiners
1951 West Camelback Road, Suite 330
Phoenix, AZ 85015*

I hereby request the Board of Chiropractic Examiners investigate my complaint against the above named Doctor of Chiropractic. I agree to testify under oath to the information given in this complaint, should the Board request me to do so.

Signature

Date

The Board does not:

- *Have jurisdiction regarding disputes over fees charged by the doctor of chiropractic.*
- *Have the authority to remove a debt.*
- *Have the authority to provide patients with a copy of their treatment records.*

The staff cannot:

- *Tell you whether a law has been violated. Only the Board can make that determination.*
- *Predict what the Board will decide in relation to a complaint.*
- *Provide legal counsel or interpret the law for you.*
- *Withdraw a complaint on your behalf. Once a complaint is filed, the Board must review it.*

We hope this brochure will help you understand the complaint process. If you have any questions regarding the complaint process, you may contact the Board at (602) 864-5088.

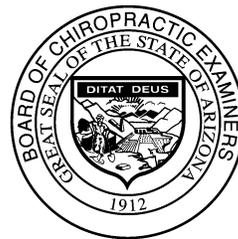
BOARD

James J. Badge, D.C.
Chairperson

Richard A. Guarino, D.C.
Vice-Chairperson

Norris Nordvold
Member

Gregory Katsaros, D.C.
Member



STAFF

Pamela J. Paschal
Executive Director

Justin Bohall
Licensing Manager

Ruby Kelley
Administrative Assistant

Robin Clark
Staff Assistant

The State of Arizona Board of Chiropractic Examiners is pleased to offer this brochure to assist the public in understanding their options when confronted with a quality of care issue or possible violation of state law.

Our Mission

The mission of the State of Arizona Board of Chiropractic Examiners is to protect the health, welfare, and safety of the public. The authority of the Board and the laws governing the practice of chiropractic are defined in statute and rule. The Board must comply with all state laws, and therefore, Board operations and decisions are based on those laws. As you review the complaint process, it is important to remember the Board cannot act outside of its statutory authority or outside of the law, nor can the Board ignore its mandated responsibility to enforce the laws.

How is a complaint filed?

Anyone, including the Board, may file a complaint against a licensed doctor of chiropractic.

A complaint form can be obtained at the Board office:

1951 West Camelback Road

Suite 330 Phoenix, AZ 85015

Or

Online at: chiroboard.az.gov

Or

By calling: 602.864.5088

When a complaint is filed, it must have the following information:

- **The complainant's name, address and phone number:** Although this Board does accept anonymous complaints, the Board may not be able to process an anonymous complaint if the nature of the complaint will require a witness or testimony from the complainant.
 - **The name and clinic address of the doctor against whom the complaint is being filed:** The Board cannot assume a complaint has been filed against a doctor when a name has not been provided. If a complaint is filed against a clinic or business, the owner of the clinic or business will receive the notice of the complaint.
 - **The nature of the complaint:** The complaint should provide as much detail as possible.
- What will happen once a complaint is filed?**
- A complaint number will be assigned and a file will be opened.
 - A copy of the complaint will be sent to the doctor against whom the complaint has been filed, with a request for a response within ten days of receipt, and a subpoena requiring the licensee to provide a copy of the patient's records, if applicable.
 - When the doctor's response is received, a copy of the response will be sent to the complainant.
- After reviewing the doctor's response, the complainant may send a rebuttal or additional information related to the complaint.
 - Following a thorough investigation, the complaint is scheduled for a Board meeting. All complaints filed with this Board against a licensed doctor of chiropractic must be investigated and brought before the Board for action.
 - When the complaint is placed on a Board meeting agenda, the complainant will be notified of the meeting date, time and location. Complainants are encouraged to attend. If the complainant or their representative is present, they will have an opportunity to address the Board, regarding their complaint.
 - At the Board meeting, the Board will review the file for the first time. It is important to remember the Board is merely looking at the facts presented in the complaint, response and records at this time. There is no assumption a law was or was not violated. It is simply a review of facts as presented.
 - The Board will review the complaint to determine one of the following:
 1. Is the nature of the complaint under the Board's jurisdiction? If not, the Board does not have authority and must dismiss the complaint.
 2. Is there basis on which to believe a law may have been violated? If the Board does not find substantive basis on which to proceed, it must dismiss the complaint. If the Board is concerned a law may have been violated or the Board does not have enough information to make a determination, the complaint will be held open for further investigation.

When a complaint is dismissed, it does not necessarily mean the Board agrees

with or condones the actions of the doctor, it simply means the Board had no jurisdiction or could not find evidence of a violation of law.

3. If the Board finds there is a substantive basis to believe a law has been violated, it may vote the matter to formal interview or formal hearing.

The term “substantive basis” is very important at this point. The Board will not vote a matter to interview or hearing if it does not believe sufficient evidence exists to demonstrate a law has been violated.

- If the complaint is dismissed or open for further investigation, staff will notify the complainant by letter. If further investigation will take place, the Board’s investigator will inform the complainant when the matter will be scheduled for Board review again.
- If the matter is voted to formal interview, the doctor and complainant will be notified in writing of the date, time and location of the interview.
- If the matter is voted to hearing, the doctor will be noticed through a formal process called a Complaint and Notice of Hearing. The Complaint will identify the date, time and place for the hearing. It will outline the factual allegations and charges made against the doctor by the State of Arizona. The doctor will have the right to be represented by an attorney. The complainant should be prepared to act as a witness at the hearing.

How long will the process take?

It can take anywhere from a few months to years to resolve a complaint, depending on when the complaint is filed, the complexity

of the investigation, and whether there is a related criminal matter being investigated.

We ask for your patience. The reason the complaint process takes time is that we are committed to ensuring that all decisions are made based on the most complete set of facts.