

PUBLIC COMPLAINTS AGAINST STAFF

POLICY: It is the policy of the Board of Licensure in Medicine that citizen complaints regarding the performance of Board employees will be investigated timely, objectively and impartially according to the standard state guidelines.

COMPLAINTS POLICY - MAINE BOARD OF LICENSURE IN MEDICINE

REFERENCE: 5 M.R.S. § 7036(28)

A. PURPOSE

A relationship of trust and confidence between employees of the Maine Board of Licensure in Medicine (Board) and the communities that they serve is essential to the effective operation of state government. Agency employees must be free to exercise their best judgment in the performance of their duties. Agency employees also have a special obligation to respect the rights of all persons. The Board acknowledges its responsibility to establish a complaint system and procedures that not only will subject Board employees to corrective action when improper conduct has occurred, but that will also protect Board employees from unwarranted or spurious criticism when they discharge their duties properly. The purpose of these procedures is to provide prompt, just and open disposition of complaints regarding the conduct of Board employees.

It is the policy of the Board to encourage the public to comment or complain when the conduct of any of its employees is believed to be improper. The Board will make every effort to ensure that no adverse consequences occur to any person or witness as a result of having brought a complaint or for providing information concerning a complaint. Any Board employee who subjects a complainant or witness to such recrimination will be subject to appropriate disciplinary action.

B. PROCEDURE

1. The Board encourages the public to bring forward legitimate complaints regarding misconduct by its employees. To this end, a copy of "HOW TO FILE A PERSONNEL COMPLAINT WITH THE MAINE BOARD OF LICENSURE IN MEDICINE" will be posted at agency work sites and on agency web sites and will be given to anyone requesting this information. A copy of this document is attached to this policy. Complaints, regardless of nature, can be lodged in person, by fax, by mail, or by e-mail. Telephone contacts are welcome, but complaints must be in writing, provide contact information and contain specific details about the complaint. Anonymous complaints will not be accepted.
2. Any employee of the Board who receives a complaint against an agency employee shall, as soon as practicable, notify the Board's Executive Director or Assistant Executive Director of the details of the complaint for evaluation and assignment.

3. Upon receipt of a complaint, the Executive Director or the Assistant Executive Director shall determine whether the complaint should be investigated and by whom. Complaints of criminal conduct should be forwarded to the Bureau of Employee Relations to ensure cooperation with appropriate law enforcement authorities.
4. Investigations of complaints shall be completed within a reasonable time.
5. It is the responsibility of the investigator to thoroughly and confidentially investigate the matter and, when appropriate, to submit a complete and accurate investigation report. In the event a report is warranted, all relevant information obtained by the investigator shall be included.
6. All investigations shall comply with the provisions of the applicable collective bargaining agreement.
7. Complaints against the Executive Director will be brought before the Board's Administration Committee.

C. REPORT

1. When applicable, the report shall include a summary of interviews with the complainant, synopsis, finding(s) of fact, chronology of the investigation, and documentation of compliance with the employee's contractual rights.
2. Recommendations regarding the disposition of an investigation or discipline generally are not included in the investigation report. Such recommendations should only be included in consultation with the appointing authority.

D. NOTIFICATION TO THE COMPLAINANT

1. Upon final disposition, the complainant will be notified of the outcome of the investigation to the extent permitted by civil service and agency confidentiality laws.

E. ADMINISTRATIVE RESPONSIBILITIES

1. The Board shall ensure that:
 - a. All citizen complaint records and investigations remain confidential as allowed or required by statute.
 - b. Each complaint and corresponding investigation is documented.
 - c. An annual summary report is prepared for the agency head that includes statistical data that will aid in identifying the possible need for training, supervision, or other pertinent issues.

EFFECTIVE DATE: March 30, 2004

REVISION DATE: May 19, 2016

HISTORY: On May 19, 2016 Board staff updated this policy to correct the physical address of the Board office and the contact information for the Executive Director and the Assistant Executive Director.

How to file a personnel complaint with the Maine Board of Licensure in Medicine

Public complaints relating to misconduct by personnel at the Maine Board of Licensure in Medicine can be filed in person, by fax, by mail or by e-mail directly with the Executive Director or Assistant Executive Director.

Contact information is as follows:

Physical Address:

Dennis E. Smith, Executive Director or
Timothy E. Terranova, Assistant Executive Director
Maine Board of Licensure in Medicine
161 Capitol St
Augusta, ME 04330

Mailing Address:

Dennis E. Smith, Executive Director or
Timothy E. Terranova, Assistant Executive Director
137 State House Station
Augusta, ME 04333

Phone: (207) 287-3601

Fax: (207) 287-6590

E-mail: dennis.smith@maine.gov
tim.e.terranova@maine.gov

Anonymous complaints will not be accepted. The complaint should identify the complainant, provide contact information and contain specific details about the complaint (e.g. who, what, where, when, why, how). Telephone contacts are welcome, but complaints must be written. When the investigation of the complaint has been completed, the complainant will be notified of the outcome of the investigation to the extent permitted by civil service and agency confidentiality laws.