

## TOP TEN TIPS FOR AVOIDING COMPLAINTS WITH YOUR LICENSING BOARD

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Dealing with complaints is time-consuming and stressful, regardless of the outcome. At times, complaints are unavoidable. However, there are preventive actions you can take to minimize your chances of having a complaint filed against you and to maximize your chances of successfully defending yourself in front of your Board if a complaint is filed. Here are the top ten tips for avoiding complaints with your licensing Board.

**10. Keep up with the law.** When a complaint is filed against you, the first thing the Board will consider is whether you have violated your licensing practice act. Educate yourself on what your act requires and how your Board has interpreted those requirements. The Board's newsletter and website are good resources for this information. Be sure to keep yourself current on any recent amendments to your licensing act by the legislature. The corollary to knowing your practice act is complying with the practice act. Be sure you comply with everything your act requires.

**9. Keep up with your Board rules.** The Board will also review the complaint for any violations of its rules. Stay current on your Board's rules. The Board is required to give notice and receive comment on any rule before its adoption. Stay informed about rules that your Board is considering. Once the rule is adopted and goes into effect, you will be better prepared to comply with it.

**8. Educate/Supervise your staff.** You are responsible for what your staff does. Be sure they know what the law and Board rules require. In some instances, your Board could discipline your license for the illegal actions of your employees. Be sure that they are operating within the confines of the law and your Board's rules. Make sure that your staff is following your dictates. Don't ignore red flags. Implement a system of checks and balances. Take corrective action early if you do find any wrongdoing on the part of your staff.

**7. Think twice before suing your clients.** Before suing your clients in court, be sure that the services you provided were above reproach. Many times, clients who have been sued by a licensee will file a complaint with the licensee's Board. This will subject the services you provided to a heightened scrutiny. Clients may not be paying you because they have a complaint about the service that you rendered. Be sure that you have addressed any complaints your clients may have before serving them with a lawsuit.

**6. Communicate with your clients.** One of the main reasons that complaints are filed with licensing boards is because of poor client management on the part of the licensee. If clients feel that they have been dealt with fairly and honestly, they are less likely to file a complaint with the Board. Don't ignore complaints from your clients. Communication is essential. Be accessible to your clients. Always communicate with your clients in a courteous manner. Be sure your staff does, as well. What you say and the way you say it, can and will come back to haunt you. Document your communications with clients.

**5. Write it down.** Be sure that your documentation is more than adequate. If there is a dispute, you will gain a lot of credibility if you have documented in advance what occurred. Be sure to document any problems that have occurred and the steps that you took to correct them. If any staff was involved, have them document their version. Failure to document can also be a potential violation of your practice act or Board rules. Implement a recordkeeping system so that your documents are readily retrievable. Backup your records when appropriate.

**4. Implement reminder systems.** Be sure you are doing what you are supposed to be doing and following up when required. Implement and follow a reminder system to be sure that all deadlines are met on time.

**3. Deal with problems early.** Don't ignore problems hoping they will go away. What starts as a small problem, can, in time, lead to a complaint with your licensing Board. Dealing with the problem early can help to resolve it and may avoid a future complaint to your Board.

**2. Get legal advice early.** Taking appropriate legal steps may resolve problems or protect you in the future should you end up before your Board or in court. Consult with counsel before taking action to be sure that you are aware of all the legal ramifications of your actions.

**1. Encourage and promote professionalism.** Above all else, remember that you are a professional. Treat your clients and colleagues with respect and courtesy. Commit yourself to practicing your profession at the highest skill level and with the utmost integrity.

