

FILING A COMPLAINT:

1. How do I know if I should file a Complaint?

Neither the Board nor Board staff can provide legal advice. It is recommended that you file a Complaint if you believe that a podiatrist acted unprofessionally or practiced below the current standards of practice. The Board's mission is to protect the public. Additionally, there is no fee for filing a Complaint.

2. How do I file a Complaint?

The Board must have something in writing from you in order to be able to process a Complaint. The Board offers a paper Complaint form on its website, <https://podiatry.az.gov>, under the "Forms" tab or, you can submit a Complaint on the Board's website under the "elicense" tab. If you choose to file a Complaint through the elicense portal you will be required to create an account. There is no fee for creating an account.

3. What should I submit as part of the Complaint?

You should submit a detailed explanation of the unprofessional conduct you believe occurred. It is recommended that you submit any other supporting documentation you believe is relevant to the Complaint (e.g. invoices, x-rays, etc...).

4. What happens after I file a Complaint?

Once a Complaint is filed the Complaint is reviewed by the Board's Executive Director. The Complainant is sent notification that the Complaint has been received. A copy of the Complaint is sent to the Doctor. The Doctor is required to respond to the Complaint and to provide any relevant records/documents to the Board office in a timely manner. Once the Board office receives all of the relevant information from the Doctor, the Complaint is assigned to a Board approved Investigator. The Investigator will review all of the documentation and conduct any interviews that is deemed necessary. Once the Investigator has completed the review, a report will be submitted to the Board office. Once the Board office receives the Investigator's report, the Complaint is scheduled for the next available Board meeting. The Board meets once a month. The Complainant and Doctor are invited to attend the Board meeting.

5. How long does the Complaint process take?

The Complaint process can be a lengthy process. An average Complaint takes 3-5 months to be adjudicated by the Board.

6. What can the Board do if it finds the Doctor violated a statute or rule?

The Board has different levels of non-disciplinary and disciplinary action it can take against a Doctor's license.

7. Is there a Statute of Limitation to file a Complaint?

Yes there is a time limitation. Pursuant to A.R.S. §32-3224 the Board cannot accept a complaint if it has been four or more years since the conduct occurred. The time limitation does not apply to the following:

Medical malpractice settlements or judgements

Allegations of Sexual Misconduct

Incident or occurrence involved a felony

Diversion of a controlled substance

Or impairment while practicing

8. As a Complainant can I receive a copy of the investigative file?

No, Complainants are not a party to the action. A.R.S. §32-352.01(M) provides that any investigative material is confidential and can only be released to the licensee or licensee's attorney short a Court Order.

9. As a Complainant can I appeal a Board decision?

No, Complainants are not a party to the action therefore Complainants are not subject to appeal rights pertaining to a Board decision.