



## **POLICY AND PROCEDURES FOR COMPLAINTS AGAINST A DIPLOMATE CERTIFIED BY THE AMERICAN BOARD OF GENETIC COUNSELING, INC. ("ABGC")**

### **I. ABGC's COMPLAINT PROCESS**

Certification by the American Board of Genetic Counseling (ABGC) indicates that an individual has successfully met ABGC's eligibility requirements and other established criteria for certification by the ABGC. Certification is not a guarantee of continuing competence, ethical behavior, or successful outcomes for individual patients. Nevertheless, the ABGC may from time to time receive a complaint about a certified genetic counselor ("CGC") or an applicant seeking certification that warrants review under ABGC's Disciplinary Policy. This document sets forth ABGC's policy for responding to those complaints.

**THE ABGC WILL NOT INTERVENE ON BEHALF OF A COMPLAINANT REGARDING MATTERS OF PERSONAL OR PROFESSIONAL DISAGREEMENT.**

#### **A. General Rules and Procedures**

- 1) All complaints must be submitted in writing and signed by the complainant.
- 2) The ABGC does not guarantee the confidentiality of the complainant or those substantiating any complaint.
- 3) The complainant will be notified that the ABGC has received the complaint, but will not be notified of any action that the ABGC may take in response to the complaint.
- 4) The ABGC will evaluate the documentation submitted with the complaint to determine if it is sufficient and applicable to an offense outlined in the ABGC *Disciplinary Policy*. Any information obtained by ABGC may be shared with an appropriate outside body for further investigation.
- 5) The ABGC has no obligation to investigate the alleged inappropriate actions of any individual or to share any information with an outside body.

#### **B. Submission of a complaint.**

Any person who wishes to report action by a certified genetic counselor ("CGC") or an applicant seeking certification that warrants review under ABGC's Disciplinary Policy must follow these steps to file a complaint with the ABGC. Only violations outlined in the ABGC *Disciplinary Policy* will be considered.

- 1) Anonymous complaints will not be accepted or reviewed.

- 2) All complaints must be submitted in writing. The written complaint should include as much information and detail as possible about the incidents and individuals involved, and must be signed by the complainant.
- 3) If the complaint pertains to professional misconduct, only behavior that has been investigated and acted on by an employer or a legal or regulatory body will be reviewed under this policy. It is not under the purview of ABGC to *investigate* professional misconduct.
- 4) The ABGC may request that additional written substantiation be provided by the complainant within thirty (30) days from the date the original complaint was received. Such substantiation might include corroborating letters, performance records, employer evaluations, written warnings, or other notices of deficiencies. If requested substantiation is not provided within thirty (30) days after the initial complaint, the file may be closed, with no further action taken by the ABGC.
- 5) The complaint, and any other information that has been gathered regarding the complaint, may be released to the individual against whom the complaint was filed, the ABGC Board of Directors, their respective attorneys, and other parties authorized by the complainant, required by law, or necessary in the discretion of the ABGC to protect patient well-being.
- 6) The complainant and those who substantiate the complaint will be asked to sign an authorization to release the written complaint and the corroborating materials to the individual in question, Board of Directors and staff of the ABGC, their respective attorneys, and appropriate outside parties as deemed necessary by the ABGC. (See Attachment A)
- 7) The ABGC Executive Director, in consultation with the Chair of the Disciplinary Review Committee, will determine if the alleged behavior is a violation outlined in the ABGC *Disciplinary Policy* and whether there is sufficient evidence to substantiate the alleged offense. If a substantiated complaint indicates behavior which might represent an immediate and significant threat to patient well-being, the relevant state board of professional practice will be notified. If the substantiated complaint relates to behaviors/actions that are detailed in Section I of the ABGC *Disciplinary Policy*, it will be reviewed by the ABGC Review Committee following the procedures outlined in ABGC's Disciplinary Procedures.



**ATTACHMENT A**

**ABGC COMPLAINT PROCEDURES  
AUTHORIZATION FORM**

In connection with the complaint I have filed against \_\_\_\_\_, and/or the material I have submitted to substantiate such complaint, I understand and acknowledge that, while it is the policy of the ABGC to seek to preserve the confidentiality of complainants and substantiators, there are circumstances in which the identities of complainants or substantiators, or materials supplied by them, will be disclosed. Those circumstances including but are not limited to the following:

- a. The ABGC will disclose the identities of complainants or corroborators, or materials supplied by them, when such disclosure is required by law.
- b. The ABGC may disclose such information to the subject of the complaint when, in its sole discretion, it determines that such disclosure is necessary to fully investigate the complaint.
- c. In the course of an investigation, confidential information concerning a complaint may also be shared with ABGC staff, members of the Board of Directors, and ABGC attorneys.

Accordingly, I hereby authorize the ABGC to release my complaint/substantiating information and other written materials, including my name, to the subject of the complaint, to staff and Board members of ABGC, to their respective attorneys, and to other persons required by law, or necessary, in the discretion of the ABGC, to fully investigate the complaint.

Name \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_