



ADMINISTRATIVE RULES OF MONTANA



24.225.2401 COMPLAINT PROCEDURE

- (1) A person, government, or private entity may submit a written complaint to the board charging a licensee or license applicant with a violation of board statute or rules, and specifying the grounds for the complaint.
- (2) Complaints must be in writing, and shall be filed on the proper complaint form prescribed by the department.
- (3) Upon receipt of the written complaint form, the department shall log in the complaint and assign it a complaint number. The complaint shall then be sent to the licensee complained about for a written response. Upon receipt of the licensee's written response, both complaint and response shall be considered by the screening panel of the board for appropriate action including dismissal, investigation, or a finding of reasonable cause of violation of a statute or rule. The department shall notify both complainant and licensee of the determination made by the screening panel.
- (4) If a reasonable cause violation determination is made by the screening panel, the Montana Administrative Procedure Act shall be followed for all disciplinary proceedings undertaken.
- (5) The screening panel shall review anonymous complaints to determine whether appropriate investigative or disciplinary action may be pursued, or whether the matter may be dismissed for lack of sufficient information.

Authorizing statute(s): 37-18-202, MCA

Implementing statute(s): 37-1-308, 37-1-309, MCA

History: NEW, 1996 MAR p. 2579, Eff. 10/4/96; TRANS, from Commerce, 2005 MAR p. 323; AMD, 2008 MAR p. 633, Eff. 4/11/08.