Physical Therapy Board of California – Complaint Process Overview

PTBC CONSUMER PROTECTION SERVICES

Receives written complaint from the consumer. An enforcement analyst reviews the complaint to determine if:

- The complaint is within the PTBC's jurisdiction
- Additional information is needed
- Medical records or other pertinent materials are needed
 Consultation with a physical therapist expert consultant is
- needed

• Immediate investigation is needed, and if so, transmits complaint to DOI

If appropriate, the complaint may be mediated at this time, forwarded to another agency with jurisdiction over the subject matter of the complaint, or if there is no apparent jurisdictional violation, the case may be closed.

PTBC FINAL DECISION PROCESSING

Once a final decision has been reached, the Complainant is notified in writing of the outcome of their complaint. If the PTBC issues a citation or takes disciplinary action, those documents are public, and are available on DCA License Search at www.breeze.ca.gov.

PTBC PROBATION MONITORING

When probation has been imposed on a licensee as part of a disciplinary action, the PTBC Probation Monitor provides compliance monitoring.

DIVISION OF INVESTIGATION (DOI)

The case is referred to DOI and the complaint is investigated to substantiate the allegations. After PTBC receives and reviews DOI's investigation report, the case may be:

- Closed, but retained as required by law if the allegations could not be substantiated
- Closed, but retained as required by law if there is insufficient evidence available to take action
- Referred to the Attorney General's Office for disciplinary action
- Prepared for the issuance of a citation
- Referred to local district attorney or other law enforcement agency.

ATTORNEY GENERAL'S OFFICE (AG)

On behalf of the PTBC, the AG drafts an Accusation (charging document), and an administrative hearing is scheduled. The AG represents the PTBC at hearing. If a stipulated agreement between the PTBC and the licensee is reached prior to the hearing being held, no hearing is necessary. The AG may also file a petition on behalf of the PTBC to compel the licensee to undergo a psychiatric, medical, or competence exam, or to seek an interim suspension order against the licensee.

ADMINISTRATIVE LAW JUDGE (ALJ)

A case is heard by an ALJ, who prepares a proposed decision for PTBC board member review. The PTBC board members may issue a decision:

- Adopting the proposed decision as written
- Increasing the penalty, after review of case exhibits, the hearing transcript, and additional arguments submitted by both parties
- Reducing the penalty
- The licensee can appeal the PTBC board members' decision.

CRIMINAL PROSECUTION

The complaint may be referred to a local district attorney or other law enforcement agency for consideration for criminal prosecution.

COMPLAINANT

Submits complaint to the Physical Therapy Board of California (PTBC) online, or by mail, email, or fax.