

# KSBHA Complaint / Investigative Flow Chart

**COMPLAINT INFORMATION**

- Information From Healthcare Providers
- Referrals From Other Agencies
- Other
- Patient Complaints
- Data Bank Reports
- Malpractice Information
- Adverse Finding Reports

**COMPLAINT NUMBER ASSIGNED**  
Information Uploaded into System

**DISCIPLINARY COUNSEL**  
Initial legal review of information to determine if facts as alleged would constitute a violation of Healing Arts Act.

**CASE ASSIGNED to investigator**

**CLOSE**  
(if facts as alleged do not constitute a violation of the Healing Arts Act).

**INVESTIGATION**

- Obtain records from licensee
- Obtain records From appropriate entities
- Obtain response / interview / statement from licensee
- Obtain response / interview / statement from patients, complainants and/or witnesses

**DISCIPLINARY COUNSEL**  
Assign all SOC cases to appropriate review committee or council  
Refer conduct cases for Disciplinary Panel review

**CLOSE**  
if credible evidence does not support allegation of violations of statutes (i.e. mistake in facts in complaint)

**Review Committee or Professional Council\***

- Clinical practitioners from same profession
- SOC peer review-initial review of standard of care
- All cases that involve SOC issues or other medical treatment issues are reviewed by the appropriate Review Committee (MD3, DO, DC, DPM) or allied professional council

**Conduct Issue**

- Non SOC issues
- Corporate practice of medicine
- Boundary issues
- Billing
- Impairment
- Criminal Conviction

**LITIGATION COUNSEL**  
Present all SOC and conduct cases to Disciplinary Panel

**DISCIPLINARY PANEL\***

- 1 MD, 1 DO, 1 DC, 1 DPM, and a public Board member
- Review and determine appropriate action such as authorize initiating disciplinary action or close

**CLOSE**

**AUTHORIZE INITIATING DISCIPLINARY ACTION**

- Non-disciplinary, KSA 65-2838a resolution, i.e.: professional development plan or letter of concern
- Authorize initiating other action, i.e.: agreed resolution with licensee like consent order or non-agreed resolutions like petitions or summary orders subject to statutory due process requirements

**BOARD**

- Review, Approve, Accept, Modify, Deny, or Issue Final Order\* for all actions authorized by Disciplinary Panel
- Review all case closures-may refer back for additional consideration by Disciplinary Panel

\*Each level of review; (review committee, council, disciplinary panel, and full board) operates independently and is not bound by prior determinations in the process