



Understanding the  
North Carolina Medical Board's  
complaint process



The Medical Board was established to regulate the practice of medicine and surgery for the benefit and protection of the people of North Carolina.

One way that NCMB protects the public is by investigating complaints from patients and others. Complaints are the leading source of NCMB enforcement cases.

### How the complaint process protects the public

Filing a complaint helps NCMB protect North Carolinians by bringing possible misconduct to the Board's attention. Submitting a complaint is a good way to help ensure that:

1. Medical providers who engage in misconduct are held accountable; and
2. Similar misconduct does not occur in future.

### Learn More

View a video tutorial about filing a complaint on the Board's website now!

### Professionals regulated by NCMB

Under North Carolina law, NCMB is authorized to investigate and discipline only the medical professionals it licenses. The main types licensed by the Board are **physicians**, including medical doctors (MDs) and osteopathic physicians (DOs) and **physician assistants** (PAs).

In addition, NCMB licenses **perfusionists** (LPs) – the professionals who keep a patient's heart and lungs functioning during major surgical procedures – as well as **anesthesiology assistants** (AAs).

### Types of misconduct NCMB can address

NCMB has the authority to take regulatory action against a licensee only when it determines that a violation of the NC Medical Practice Act (Chapter 90 of the NC General Statutes) has occurred.

Many matters of concern may fall within the Board's jurisdiction, including:

- Substandard medical care, including missed or delayed diagnoses and medical errors;
- Inappropriate or excessive prescribing;
- Unprofessional or unethical conduct – a broad category that may include misrepresenting credentials, violating patient confidentiality or billing for services not provided, among other issues;
- Sexual assault or other sexual misconduct by a medical provider.

### When to file a complaint

Deciding to file a complaint is a personal choice. NCMB cannot advise patients if they have a "good case" or predict possible outcomes.

NCMB has Complaint representatives on staff to answer other questions. Due to the daily volume of phone calls, please expect to leave a message. Please make sure your voicemail can accept new messages so you do not miss a return call.

### The Board does NOT regulate:

- |                               |                       |
|-------------------------------|-----------------------|
| • Chiropractors               | • Nurses              |
| • Clinics                     | • Nursing homes       |
| • Dentists                    | • Optometrists        |
| • Doctor's office staff       | • Pharmacists         |
| • Emergency medical techs     | • Physical therapists |
| • Family counselors           | • Podiatrists         |
| • Hospitals                   | • Psychologists       |
| • Laboratories                | • Social workers      |
| • Laboratory techs            | • Speech pathologists |
| • Marriage counselors         | • Veterinarians       |
| • Medical insurance companies | • X-ray techs         |

## How does filing a complaint impact you?

Patients who file complaints should be aware that the medical professionals in question will be notified. This could lead the licensee to dismiss you as a patient. Medical professionals have the right to do this. If you wish to continue as a patient, you may be better served by raising issues directly with your provider or the practice manager.

Patients should also understand that filing a complaint will not have a direct impact on them. NCMB does not provide direct assistance or intervene in patient care.

Filing a complaint will not help you:

- Resolve a dispute with a medical professional;
- Persuade a provider to change his or her mind about treatment;
- Obtain a financial settlement; or
- Prepare a lawsuit against a provider.

If your objective is to obtain help with any of these things, filing a complaint will not help you achieve this.

## If you decide to file a complaint

NCMB will need specific information in order to investigate. A complaint cannot be processed without the following:

- Full name, with correct spelling, of the medical professional you have concerns about.
- Your complete name, date of birth and contact information, including a valid email address.

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- Exact or approximate date the medical visit or incident occurred. If care was provided over a period of time, give a date range.
- A clear statement of your concern. This does not need to be long but it should accurately summarize the main reason for your complaint.
- The Complaint Section staff cannot take complaints over the phone, unless you fall under the American with Disabilities Act. If you are having difficulty completing the complaint form, you may want to ask a family member or friend to assist you.

## Keep in mind:

There is no “statute of limitations” when it comes to filing a complaint. However, NCMB is usually able to get the most accurate and complete information when a complaint is submitted as soon as possible after a problem occurs.

A copy of your complaint will be provided to the licensee to allow him or her to respond.

Copies of medical records are obtained as part of any investigation related to quality of care.



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