

What To Do When You Receive a Licensing Board Complaint

AUTHOR: KATRINA SMELTZER

No professional is having a good day (or year) when he or she receives notice of a licensing complaint made against him or her. Chances are, however, most of us will deal with such a bad day (or year) at some point in our careers. It is best to stay calm and be intentional in how you respond. Below are some tips on how to deal with the unwelcomed situation:

- Do not assume the complaint will be dismissed just because you think it is baseless. Treat every complaint—no matter the backstory—seriously.
- Do not contact the client who made the complaint about the complaint. If the client feels sufficiently aggrieved to make a complaint, you will not talk the client into changing his/her mind and you may say something you will later regret. Additionally, do not talk about the situation or the client to others until advised your attorney; instead, maintain confidentiality.
- Do pay attention to deadlines—they are usually hard deadlines unless you get an extension directly from the licensing agency.
- Do not prepare a response yourself (even if you are an attorney).
- Do reach out to your insurance broker or carrier. Most errors & omissions insurance policies provide the insured with a defense to licensing actions as a part of your premium.
- Do hire an experienced attorney to handle your response and any investigation, if your insurance carrier will not provide you with a defense.
- Do gather all relevant documents and communications (paper and electronic) to provide to your attorney.
- Do educate yourself on the process. Most licensing agencies have websites that explain their processes. Also, educate yourself about what is at risk.

Sandberg Phoenix's professional liability team provides aggressive advocacy for professionals facing a licensing board complaint. We know how to present a strong defense for you. Contact us today.