Complaint Procedure for the WV Board of Examiners of Psychologists

Complaint Filed and Sent to Psychologist or School Psychologist

- A complaint is sent to the Board, which is copied and sent via certified mail to the psychologist.
- The letter notifying the psychologist will also be sent to the complainant.

Psychologist's Response

- The psychologist has 30 days from receipt of the complaint to send a response to the Board office.
- After the psychologist's response arrives at the Board office it will be copied and sent to the complainant via certified mail, all parties will be notified by mail.

Complainant Response

- Upon receiving the psychologist's response, the complainant will have 20 days to send a response to the Board office. A complainant can also choose not to send a response.

Review by Executive Director

- After the 20-day period, the complaint and the response(s) will be reviewed by the Executive Director.
- The Executive Director may assign the case to an Ethics Investigator or may opt to have the Ethics Committee review the case.

Additional Information May Be Sought

- Additional information may be sought from either party by the Ethics Investigator or the Ethics Committee.

Review by the Ethics Committee

- The Ethics Committee will review the entire case and if an Ethics Investigator was used will review the Investigator's report.
- The Committee will a recommendation to make to the Board.

Board Review

- At the next meeting of the Board the Ethics Committee will make their recommendation to the Board.
- The Board will then vote to find probable cause or no probable cause.

No Probable Cause Found

- If the Board finds no probable cause the case is closed. All parties will be notified via certified mail.

Probable Cause Found

- If the Board finds probable cause, a consent decree will be sought.
- A consent decree lays out the violation(s) and offers remediation to be completed by the psychologist.

Hearing

- If there is no agreement to a consent decree, a hearing will be offered before a court reporter and an Administrative Law Judge (ALJ) who will hear both sides of the complaint.
- The ALJ will then review the case and make a recommendation.

Board Review

- The hearing materials and transcript will be provided to the Board members for their review.
- At their next meeting the Board will then issue a final decision which may result in finding of no violation or a final order which may include revocation, suspension and/or remediation that the psychologist must complete.