

State of Alabama Board of Examiners of Assisted Living Administrators

Guidelines Regarding Investigations of Complaints
Pursuant to
Rule 135-X-8.01 Complaints and Inquiry Procedures of the
Alabama Administrative Code

All complaints received by the Board of Examiners of Assisted Living Administrators must be submitted in writing and signed with contact information included. Anonymous complaints will not be investigated. Complaints shall be submitted on the Alabama Board of Examiners of Assisted Living Administrators Complaint Form which may be obtained from the office of the Board of Examiners and from the “Forms” link on the Board’s website: www.boeala.state.al.us

The Executive Director of the Board will notify the Board members at the next scheduled Board meeting that a complaint has been received.

Under Rule 135-X-7-.02(4) and 135-X-8-.01(2) of the Alabama Administrative Code, the chair of the Board is authorized to appoint persons to hear and investigate complaints. The chair may appoint three of its non-consumer members to conduct the investigation, plus one consumer member to serve in an advisory role only, with the assistance of the Board’s representative from the Office of the Attorney General and the coordination of the Executive Director. These individuals constitute the Hearing Committee.

The Executive Director will notify the individual(s) against whom a complaint has been made of the existence of a complaint and the nature of the complaint. The individual will be given an opportunity to comment and present information regarding the complaint. A copy of the complaint will not be sent to the individual(s) at that time.

The Hearing Committee may request an affidavit of facts from the individual(s) who filed the complaint(s), if necessary.

The Executive Director will log in the complaint and place a notation in the administrator’s file that a complaint has been received.

Upon completion of the investigation, pursuant to Rule 135-X-8-.01(2) of the Alabama Administrative Code, the Executive Director will report to the full Board the Hearing Committee’s findings and recommendations which will either be to (1) dismiss the charge(s) and close the complaint file based on unfounded charges or (2) accept a proposed Settlement Agreement negotiated by the Committee or (3) proceed with taking disciplinary action based on the merit of the charges and Committee’s findings. The licensee or applicant will be informed in writing of the disciplinary action approved by the Board. The licensee or applicant receiving such notice is entitled to a formal hearing in accordance with the procedures established in Section 34-2A-13 of the Code of Alabama (1975) and Rules 135-X-7-.02 and 135-X-8-.01 of the Alabama Administrative Code.

If a Board member was involved in the investigation then he/she must abstain from voting on any action regarding the complaint.

When final action is determined, the Executive Director will enter the information in the administrator’s file and report to the Department of Public Health all final disciplinary actions taken in accordance with Section 34-2A-13 of the Code of Alabama (1975) and Rule 135-X-8-.01 of the Alabama Administrative Code.

**State of Alabama Board of Examiners of Assisted Living Administrators
Complaint Form**

Offense _____ Case No. _____

*Complainant/Victim _____

Address _____

Race _____ Sex _____ Age _____ DOB _____ Other _____

Administrator Name _____ License No. _____

Date of Licensure _____ Renewal Date _____

Facility Name _____

Facility Address _____

Home Address _____

Place of Occurrence _____

Date of Occurrence _____ Time of Occurrence _____

Person Reporting Incident _____ Date Reported _____

Details of Incident (Describe) _____

Witness (1) _____

Address _____

Telephone (W) _____ (H) _____

Relationship to Complainant/Victim _____

Witness (2) _____

Address _____

Telephone (W) _____ (H) _____

Relationship to Complainant/Victim _____

Witness (3) _____

Address _____

Telephone (W) _____ (H) _____

Relationship to Complainant/Victim _____

Statements from Witnesses _____

Please attach additional sheets as necessary.

Anonymous complaints will **NOT be investigated.*

Alabama Board of Examiners of Assisted Living Administrators
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