

§19401. Investigations

1. Board may investigate complaints. The board may investigate a complaint, on its own initiative or upon receipt of a written complaint, regarding noncompliance with or violation of this chapter or of rules adopted by the board, including but not limited to complaints against any person, whether or not licensed under this chapter, related to actions or activities involving a kiosk or telehealth. [PL 2023, c. 580, §8 (NEW).]

2. Disclosure. During the pendency of an investigation, a complaint or investigative record may be disclosed:

A. To a designated complaint officer; [PL 2023, c. 580, §8 (NEW).]

B. To other state or federal agencies when the information contains evidence of possible violations of laws enforced by those agencies; and [PL 2023, c. 580, §8 (NEW).]

C. Pursuant to rules that must be adopted by the department, when it is determined that confidentiality is no longer warranted due to general public knowledge of the circumstances surrounding the complaint or investigation and when the investigation would not be prejudiced by the disclosure. [PL 2023, c. 580, §8 (NEW).]

[PL 2023, c. 580, §8 (NEW).]

3. Notice to licensee; response; dismissal. The board shall notify the licensee of the content of a complaint filed against the licensee as soon as possible, but not later than 60 days from receipt of this information. The licensee shall respond within 30 days. If the licensee's response to the complaint satisfies the board that the complaint does not merit further investigation or action, the matter may be dismissed, with notice of the dismissal to the parties.

[PL 2023, c. 580, §8 (NEW).]

SECTION HISTORY

PL 2023, c. 580, §8 (NEW).

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