



PROCEDURES FOR HANDLING COMPLAINTS ABOUT GENETICS PROFESSIONALS

Background

Certification by the American Board of Medical Genetics and Genomics (“ABMGG”) indicates that an individual has successfully met ABMGG eligibility requirements and other established criteria for certification by the ABMGG. Certification is not, however, a guarantee of continuing competence, ethical behavior, or successful outcomes for individual patients. The ABMGG may, from time to time, receive a complaint about a certified genetics professional (a “Diplomate”) or an applicant seeking certification. This document sets forth the ABMGG’s policy for responding to those complaints.

THE ABMGG WILL NOT INTERVENE ON BEHALF OF A COMPLAINANT REGARDING MATTERS OF PERSONAL OR PROFESSIONAL DISAGREEMENT. THE ABMGG WILL INVESTIGATE COMPLAINTS ONLY WHERE THE COMPLAINT INDICATES (1) BEHAVIOR WHICH, IN THE VIEW OF THE ABMGG, MAY AFFECT, OR BE INCOMPATIBLE WITH, AN INDIVIDUAL’S PRACTICE AS A MEDICAL GENETICIST; (2) NONCOMPLIANCE WITH CERTIFICATION OR MAINTENANCE OF CERTIFICATION REQUIREMENTS; OR (3) FALSE CLAIMS OF ABMGG CERTIFICATION OR MAINTENANCE OF CERTIFICATION. THE ABMGG WILL NOT INTERVENE IF THE SUBSTANCE OF THE COMPLAINT IS THE SUBJECT OF ONGOING LITIGATION.

INFORMATION SUBMITTED BY A COMPLAINANT, A SUBSTANTIATOR OR A RESPONDENT SHOULD NOT CONTAIN ANY PATIENT’S INDIVIDUALLY IDENTIFIABLE HEALTH INFORMATION (PERSONAL HEALTH INFORMATION OR “PHI”) UNLESS APPROPRIATE HIPAA AUTHORIZATION HAS BEEN RECEIVED FROM THAT PATIENT. UNAUTHORIZED PHI WILL NOT BE CONSIDERED BY THE ABMGG.

A. Overview

1. All complaints must be in writing and signed by the complainant.
2. To the extent practicable, the complainant must provide specific facts or documentation of the allegations.
3. The ABMGG will consider and investigate only those complaints containing substantiated allegations which, if proven, demonstrate behavior which may affect or be incompatible with an individual’s practice as a medical geneticist; noncompliance with ABMGG certification or maintenance of certification requirements; or false claims of ABMGG certification or maintenance of certification. The ABMGG has the sole discretion to determine which complaints should be pursued and what action, if any, should be taken.
4. The ABMGG shall attempt to maintain, but does not guarantee the confidentiality of the complainant or any complaint substantiators.
5. The complainant will be notified that the ABMGG has received the complaint but will not be notified of any action that the ABMGG may take in response to the complaint.

6. The ABMGG may, at its discretion, consider, investigate and evaluate any information that, in its judgment, may affect an individual's practice as a medical genetics professional. Any information obtained may be referred to an appropriate outside body for further investigation.
7. The ABMGG has no obligation to investigate the professional standing of any individual or to refer any information to an outside body.

B. Submission of a Complaint

Any person concerned about an ABMGG Diplomate, applicant, or other genetics professional (the "Respondent") may file a complaint with the ABMGG by following these steps:

1. All complaints must be submitted in writing and must be signed by the Complainant. Anonymous complaints will not be considered. The written complaint should include as much information and detail as possible about the incidents and individuals involved.
2. The ABMGG may request that additional written substantiation be provided within 30 days from the date of the original complaint. Such substantiation might include signed corroborating letters, performance records, employer evaluations, written warnings, or other notices of deficiencies. If requested substantiation is not provided within 30 days after the initial complaint, the file will be closed. No further action will be taken by the ABMGG unless substantiation is later provided.
3. The ABMGG shall attempt to maintain, does not guarantee, the confidentiality of complaints or corroborating material. The complaint and any corroborating information may be released to the Respondent, the ABMGG Board of Directors, their respective attorneys, and other parties authorized by the Respondent, required by law, or necessary in the discretion of the ABMGG to protect patient well-being.
4. The complainant and any substantiators will be asked to sign an authorization to release the written complaint and corroborating materials to the parties specified in Section B.3 above.

C. Investigation Procedure

1. The ABMGG will review the substantiated complaint.
2. If the substantiated complaint indicates circumstances which may affect or be incompatible with an individual's practice as a medical geneticist; non-compliance with certification or maintenance of certification requirements; or false claims of ABMGG certification or maintenance of certification, the ABMGG will notify the Respondent about the complaint. If deemed necessary by the ABMGG, the Respondent will be provided with copies of the complaint and any substantiating letter(s) or material(s), and will be requested to respond in writing within 30 days. The Respondent also may be requested to answer specific questions or provide other information, documentation, or materials.
3. The ABMGG will conduct an investigation of substantiated complaints, including any response from the Respondent.

4. The ABMGG will present the findings of the investigation, which may or may not include recommendations for action, to the ABMGG Credentials Committee at its next regularly scheduled meeting occurring not less than 60 days after review by the ABMGG.
5. If the Credentials Committee determines that sufficient evidence exists to indicate behavior which may affect, or be incompatible with, an individual's practice of medical genetics and genomics; noncompliance with certification or maintenance of certification requirements; or false claims of ABMG certification or maintenance of certification, that determination will be handled pursuant to the procedures set forth in ABMG's *Disciplinary Policies and Procedures*.
6. If the Credentials Committee determines that such evidence does not exist, it will close the matter and report the same in a timely manner to the Respondent.
7. The Complainant will not be informed of the outcome of any ABMGG investigation unless it becomes a matter of public record.