



**Rules of
Department of Insurance,
Financial Institutions and
Professional Registration**

**Division 2030—Missouri Board for Architects,
Professional Engineers, Professional Land Surveyors,
and Professional Landscape Architects
Chapter 12—Complaints**

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**Title 20—DEPARTMENT OF
INSURANCE, FINANCIAL
INSTITUTIONS AND
PROFESSIONAL REGISTRATION**
Division 2030—Missouri Board for
Architects, Professional Engineers,
Professional Land Surveyors, and
Professional Landscape Architects
Chapter 12—Complaints

**20 CSR 2030-12.010 Public Complaint
Handling and Disposition Procedure**

PURPOSE: This rule establishes a procedure for the receipt, handling, and disposition of public complaints by the board, pursuant to the mandate of section 4.16(6) of the Omnibus State Reorganization Act of 1974, Appendix B, RSMo 1986.

(1) The Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects shall receive and process each complaint made against any licensee or certificate holder of the board or unlicensed individual or entity, which complaint alleges certain acts or practices which may constitute one (1) or more violations of the provisions of Chapter 327, RSMo, and/or the board rules. Any member of the public or the profession or any federal, state, or local official may make and file a complaint with the board. Complaints from sources without the state of Missouri are to be processed in the same manner as those originating within Missouri. No member of the Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects who files a complaint with this board while s/he holds that office may participate in further board deliberations or activity concerning the matters alleged within that complaint. The executive director or any staff member of the board may file a complaint pursuant to this rule in the same manner as any member of the public.

(2) Complaints should be mailed or delivered to the following address: Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, PO Box 184, Jefferson City, MO 65102. However, all complaints received by the board at its administrative office in any manner will be processed. Complaints may be made based upon personal knowledge or upon information and belief, reciting information received from other sources.

(3) All complaints shall be made in writing

and fully identify the complainant by name and address. Complaints may be made on forms provided by the board and are available upon request. Oral or telephone communications will not be considered or processed as complaints, but the person making such communications will be provided with a complaint form and requested to complete it and return it to the board. Any member of the administrative staff of the board may make and file a complaint based upon information and belief, in reliance upon oral, telephone, or written communications received by the board, unless those communications are believed by the staff member to be false.

(4) Each complaint received under this rule shall be logged in consecutive order in a book maintained by the board for that purpose. The logbook shall contain a record of each complainant's name and address; the name and address of the subject(s) of the complaint; the date each complaint is received by the board; a brief statement of the acts complained of, including the name of any person injured or victimized by the alleged acts or practices; a notation whether the complaint resulted in its dismissal by the board of informal charges being filed with the Administrative Hearing Commission; and the ultimate disposition of the complaint. This logbook shall be a closed record of the board, but will be available for inspection at the board's office only by state senators, representatives, or by qualified officials within the executive branch of Missouri government having supervisory, auditing, reporting, or budgetary responsibilities or control over the board. A state senator, representative, or qualified official will be permitted to inspect the logbook only upon receipt of a written request from such official which specifically assures that the request is directly related to their duties as a state senator, representative, or official of the executive branch of Missouri government.

(5) Each complaint shall be acknowledged in writing and investigated by the board. When the complaint is received, the board will write the complainant informing him/her of the fact and stating that the matter is being referred to the board for consideration at its next regularly scheduled meeting. Upon resolution of the complaint, the board will inform the complainant in writing of the ultimate disposition of the complaint, excluding judicial appeals and provide the complainant with copies of the decisions, if any, of the Administrative Hearing Commission and the board at that time. The provisions of this subsection are not applicable to complaints filed by staff members of the board, based on

information and belief, acting in reliance on third-party information received by the board.

(6) Both the complaint and any information obtained as a result of the investigation of the complaint shall be considered a closed record of the board not available for inspection by the public. During the investigative state, the board and its executive staff shall keep the complaint and the fact of its existence confidential to the extent practicable. However, a copy of the complaint and any attachments shall be provided to any person who is the subject of that complaint or his/her legal counsel, upon written request to the board.

(7) This rule does not limit the board's authority to file a complaint with the Administrative Hearing Commission charging a licensee or certificate holder of the board with any actionable conduct or violation, whether or not such a complaint exceeds the scope of the acts charged in a preliminary public complaint filed with the board and whether or not any public complaint has been filed with the board.

(8) The board interprets this rule, as required by law, to exist for the benefits of those members of the public who submit complaints to the board and for those persons or entities within the legislative and executive branches of government having supervisory or other responsibilities or control over the professional licensing boards. This rule is not deemed to protect or inure to the benefit of those licensees or certificate holders or other persons against whom the board has instituted or may institute administrative or judicial proceedings concerning possible violations or the provisions of Chapter 327, RSMo.

AUTHORITY: section 327.041, RSMo 2016. This rule originally filed as 4 CSR 30-12.010. Original rule filed Dec. 8, 1981, effective March 11, 1982. Amended: Filed Sept. 1, 1987, effective Nov. 23, 1987. Amended: Filed Oct. 30, 2002, effective April 30, 2003. Amended: Filed Nov. 1, 2004, effective June 30, 2005. Moved to 20 CSR 2030-12.010, effective Aug. 28, 2006. Non-substantive change filed Oct. 21, 2015, published Dec. 31, 2015. Amended: Filed Sept. 29, 2015, effective March 30, 2016. Amended: Filed March 20, 2018, effective Sept. 30, 2018.*

**Original authority: 327.041, RSMo 1969, amended 1981, 1986, 1989, 1993, 1995, 1999, 2001, 2010, 2014.*