



IDAHO
DIVISION OF OCCUPATIONAL
AND PROFESSIONAL LICENSES
INVESTIGATIVE UNIT, OCCUPATIONAL LICENSES BUREAU

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NOTICE TO COMPLAINANTS

One of the missions of the Boards and Commission (“Boards”) in conjunction with the Idaho Division of Occupational and Professional Licenses (“Division”) is to take action to protect the public with respect to licensed/registered individuals. The Boards are legally authorized to take disciplinary action against an individual only when the individual has violated the statutes and rules governing the individual’s profession.

Please be advised that the Boards operate under Idaho administrative law. The Division, on behalf of the Boards, will process your complaint administratively, but the Boards are not legally authorized to proceed with a criminal case or a private civil suit. This means:

1. The Boards are not legally authorized to impose civil remedies, such as monetary damages or restitution, to compensate complainants or to resolve fee disputes, which are civil matters. **If you are seeking damages or restitution, please consult a private attorney for guidance.**
2. The Boards are not legally authorized to impose criminal penalties, such as jail sentences or criminal probation.
3. Filing a complaint with the Division does not preclude you from filing a separate legal action. If you believe your allegations may constitute a criminal violation, please contact your local law enforcement agency regarding the procedure for filing a criminal complaint. If you wish to pursue civil remedies, please consult a private attorney for guidance or consider pursuing your claim in the small claims division of your local district court.

Additionally, if a Board determines after investigation that disciplinary proceedings should be initiated against the professional’s license or registration, please be advised of the following:

1. **You will not be considered a party to this proceeding.** The parties in any administrative law proceeding are the Board and the licensee/registrant.
2. The role of the Board is to determine what is necessary for public protection and is not to advocate on behalf of an individual complainant.
3. The Boards are represented by attorneys with whom the Boards have contracted to provide administrative prosecutorial services. These attorneys do not represent you and cannot provide you with legal advice. You always have the right to consult your private attorney regarding your own legal rights and responsibilities.
4. You may be asked to provide further information in our investigation or may be called as a witness in future proceedings, in which case we look forward to your cooperation. A Board may be able to proceed without your testimony or additional information, depending on the facts of the case.
5. Investigations are confidential and are not public records. This means that the Division cannot provide you with a copy of the investigation.