

481—55.6(89GA, HF2521) Complaints.**55.6(1) Complaints.**

a. The process for filing a complaint is as follows:

(1) Any person with a concern regarding the operation of a health care employment agency may file a complaint at the department's physical location, complaint hotline, or website, as follows:

Physical address:	Department of Inspections and Appeals Complaint/Incident Unit Lucas State Office Building, Third Floor 321 E. 12th Street Des Moines, Iowa 50319-0083
Complaint hotline:	1-877-686-0027
Website address:	dia.iowa.gov

(2) When the nature of the complaint is outside the department's authority, the department shall forward the complaint to the appropriate investigatory entity.

(3) If other state agencies receive a complaint that relates to a health care employment agency, the agencies shall forward the complaint to the department.

b. The department shall act on anonymous complaints unless the department determines that the complaint is intended to harass the health care employment agency or is without a reasonable basis. If the department, upon preliminary investigation, determines that the complaint is intended to harass or is without a reasonable basis, the department may dismiss the complaint.

55.6(2) Content of complaint reports. The complaint shall include as much of the following information as possible: the complainant's name, address, and telephone number; the complainant's relationship to the health care employment agency; and the reason for the complaint. The complainant's name shall be confidential information and shall not be released by the department.

55.6(3) Time frames for investigation of complaints. Upon receipt of a complaint made in accordance with this rule, the department shall make a preliminary investigation of the complaint to determine if probable cause exists to further investigate the complaint. If probable cause exists, an investigation of the health care employment agency shall be initiated within 45 working days.

55.6(4) Standard for determining whether a complaint is substantiated. The department shall apply a preponderance of the evidence standard in determining whether a complaint is substantiated.

55.6(5) Notification of the health care employment agency or alleged health care employment agency of results of investigation. The department shall notify the health care employment agency or alleged health care employment agency, in writing, of the final report of the complaint investigation.

55.6(6) Notification of the complainant of results of investigation. The complainant, if known, shall be notified of the final findings of a complaint investigation. The complainant, if known, shall also be notified if the department determines not to further investigate after the preliminary investigation and shall receive an explanation of the department's decision.

[ARC 6711C, IAB 11/30/22, effective 1/4/23]