



## Kansas Board of Cosmetology

714 SW Jackson Suite 100 Topeka, KS 66603

Telephone: (785) 296-3155 Fax: (785) 296-3002

Email: [Kboc@ks.gov](mailto:Kboc@ks.gov) Website: [www.kansas.gov/kboc](http://www.kansas.gov/kboc)

### Policy – Process for Review, Investigation and Closure of Complaints

Policy Number: 001-20

Last Updated: 01/13/2020

Approved by Board: 01/13/2020

- I. Purpose
  - a. The purpose of this policy is to provide guidelines for Board staff to prioritize, review, investigate, and/or close complaints filed with the Board.
  - b. This policy is designed to protect the health and safety of the consuming public.
  - c. The Board seeks to ensure the integrity of the disciplinary function of the agency without unreasonable disturbance of other functions and duties of the agency.
- II. Authority
  - a. The Board shall receive applications for, and issue licenses as provided in the cosmetology, body art and tanning acts and shall administer the provisions of these acts. For the purpose of the acts, the Board shall make all necessary investigations.
  - b. See K.S.A. 74-2701, 74-2702a
- III. Policy and Procedures
  - a. Processing Complaints
    - i. The Executive Director or Compliance Supervisor, as designated by the Executive Director, shall process complaints as follows:
      1. Send an acknowledgment letter or email to the complainant confirming receipt of the complaint. Review the complaint to determine jurisdiction or if the matter may be closed in accordance with this policy. If the matter is closed, send a closure letter to the complainant, when contact information has been provided.
      2. If the Board has jurisdiction over the matter, open a complaint file and assign a complaint number to the file
      3. Conduct a thorough investigation of the complaint and compile evidence. If a violation has been determined open a complaint file with the Board and refer files to the disciplinary panel alleging the unlicensed practice of tattooing or tattooing on minors before reporting to law enforcement in addition to opening a complaint file with the Board.
      4. Assign a case number and impose discipline and fines in accordance with the Board's approved fine schedules and Guidance Document No. 002-12 on Disciplinary Action for Health/Sanitation Violations.
      5. Refer to the Disciplinary Panel all complaints which, after investigation, support a violation not addressed by the Board's approved fine schedules and the Board Guidance Document No. 002-12.
      6. Refer to the Disciplinary Panel a summary for complaints in which no violation has occurred to support disciplinary action recommending closure. If Disciplinary Panel agrees with closure recommendations, send a closure letter to all interested parties, where contact information has been provided, indicating the complaint has been closed and the reason for closure (i.e. no violation, insufficient evidence of violation, etc.).



## Kansas Board of Cosmetology

714 SW Jackson Suite 100 Topeka, KS 66603

Telephone: (785) 296-3155 Fax: (785) 296-3002

Email: [Kboc@ks.gov](mailto:Kboc@ks.gov) Website: [www.kansas.gov/kboc](http://www.kansas.gov/kboc)

- b. Closing Complaints without Investigation
  - i. The Executive Director shall be authorized to close the following complaints, without investigation:
    - 1. Complaints not received in writing.
- c. Closing Complaints
  - i. The Executive Director shall be authorized to close a complaint if, at any point in the investigative process, it becomes evident that:
    - 1. Disciplinary Panel recommends closure.
    - 2. The Board has no regulatory authority regarding the allegations.
    - 3. The Board has no jurisdiction over the alleged violations.
- d. Warning Letters
  - i. The Executive Director shall be authorized to issue warning letters for:
    - 1. Possession of any of the prohibited items listed in K.A.R. 28-24-14 and 69-15-16(k), where there is no evidence of actual harm to the consuming public and the licensee has not previously been disciplined or issued a warning for a similar violation.
    - 2. Failure to post an establishment license, practitioner license or inspection report, where there is no evidence of actual harm to the consuming public and the licensee has not previously been disciplined or issued a warning for a similar violation.
- e. Complaints Involving or Submitted by Board Members
  - i. Board members shall submit complaints to the Board using the established complaint form.
  - ii. Board members shall be recused from disciplinary decisions concerning complaints in which they are a witness or otherwise have a conflict of interest in the matter.
  - iii. Board members shall not compromise or impede the complaint process or investigation.

---

Laura Gloeckner  
Executive Director  
Kansas Board of Cosmetology