

# **Protecting Your Practice: What Every Counselor Should Know About Complaints**

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MS Board of Examiners for Licensed Professional Counselors

Lunch & Learn

March 4, 2026

# Why This Matters To You

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- Reality
  - Any licensee can receive a complaint
  - A complaint does not automatically indicate wrongdoing
  - Timely and complete responses can influence outcomes

# Presentation Objectives

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- When/Who/How to file complaint
- What to expect from filed complaint through final resolution
- Rights and procedural protections under Mississippi law and Board rules
- Licensee and complainant obligations during an investigation
- Potential outcomes: dismissal, informal resolution, consent orders, and hearings
- Strategies to protect your license and reduce risk
- Increase Board transparency to reduce anxiety and uncertainty

# Filing A Complaint

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- Anyone can file a complaint
- Behavior of Licensee must violate ACA Code of Ethics or Board's Rules and Regulations
- Person complaint is filed against must hold a MS license through the MS Board of Examiners for Licensed Professional Counselors
- Not a place to file grievances regarding HR issues, workplace issues, retaliation, etc.

# Board Authority and Duties

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- Board Authority per Statute
  - Mississippi Code Annotated § 73-30-1 et seq.
- Procedural Protections
- Board's Duty
  - Note: The Board evaluates evidence and determines whether violations occurred. It is not an advocate for either party.

# Complaint Process

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- Step 1
  - Initial Review by Board Office
  - Ensure Board has jurisdiction over the person complaint has been filed against
  - Upload information into Complaint Portal
  - Assign the complaint a Complaint Number
  - Assign the complaint to an Investigator
    - Note: All complaints are investigated to some degree

# Complaint Process

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- Step 2
  - Preliminary investigation by Investigator
  - Send Notification Letter to Licensee
    - All Licensees are notified that a complaint has been filed against them
    - Investigator has 180 days from the date the complaint is filed to send the Notification Letter to the Licensee

# Notification Letter Process

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- Contents
  - Date complaint was filed and who filed the complaint
  - Alleged violations and corresponding Rule / Code of Ethic violated
  - Statement for Licensee to respond
  - Deadline for receiving the response

# Complaint Notification Letter Example

Mississippi State Board of Examiners  
For Licensed Professional Counselors  
239 N Lamar Street, Suite 402, Jackson, MS 39201

Telephone 601-359-1010

Fax: 601-359-1030

[www.lpc.ms.gov](http://www.lpc.ms.gov)

February 25, 2026

Dear Licensee Name

This letter is to inform you that a complaint, #XXXX, was filed against you by XXXX on or about January 12, 2026. The Board has not initiated any formal disciplinary action against you at this time; however, the Board is currently investigating the allegations contained in the complaint. In accordance with the Rules and Regulations of the Mississippi State Board of Examiners for Licensed Professional Counselors, I have been assigned to investigate the allegations made against you. My role is to speak to you, to any witnesses, to the person filing the complaint, and to gather and to review all documents that are relevant to these allegations. Once the investigation is completed, a recommendation will be made to the Board to either take no action or continue with the complaint process.

This correspondence will serve as your notification pursuant to Chapter 8, Section 2: "Complaint Procedures" of The Mississippi State Board of Examiners for Licensed Professional Counselors Rules and Regulations that there is an investigation into a complaint made against you. The allegations contained in the complaint and the statute, regulation, and/or ACA Code of Ethics which the alleged conduct may violate are as follows:

Complaint	Violation(s)
Complainant alleged the following:	Code cited or Rule / Statute cited

Our Rules and Regulations require you to submit a written response to these allegations within ten (10) days of receiving this letter. You may ask for an extension of up to thirty (30) days to file your response. Please mail your response to the Board office: 239 North Lamar Street, Suite 402, Jackson, MS 39201. You are encouraged to include any statements and documents to defend against the complaint filed. **Chapter 8, Section 2 (D)** of our rules and regulations provides that "the accused licensee shall be notified by certified mail of the complaint and informed that he/she has ten (10) days to respond to the Complaint" (**See also, ACA CODE I.3, Cooperation with the Ethics Committees**). Upon receipt of your response and review by the investigator, the findings will be presented at a regularly scheduled Board meeting, and the Board will determine whether or not to initiate a formal action. You are encouraged to (1) provide a narrative response regarding each of the above accusations and (2) include any documents or evidence you think will help the Board make a fair and accurate determination of the validity of these allegations. In your response, please include pertinent copies of the reason and source of referral documents for the counseling services, informed consent, any treatment plan(s), progress notes, text messages, emails, ethical decision-making documentation, and any other documentation you may have regarding this complaint. Please note that the investigation may uncover violations other than those alleged herein.

If you have any questions or concerns, feel free to contact me at [ksallis@lpc.ms.gov](mailto:ksallis@lpc.ms.gov).

Sincerely,



Kimberly Sallis, PhD, LPC-S, BC-TMH  
Mississippi State Board of Examiners for Licensed Professional Counselors

Cc: Special Assistant Attorney General

# Complaint Process

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- Step 3
  - Licensee Responds to Complaint within 10 days (may ask for additional time if needed-up to 30 days)
    - ACA Code 1.3
  - Licensee Provides Any and All Documentation for Investigator to Consider
    - Note: Failure to respond or cooperate with the investigation may result in additional ethical violation charges

# Complaint Process

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- Step 4
  - Investigator reviews all information
  - Investigator gathers additional information if necessary
  - Investigator consults with Board Attorney
    - Can allegation be proven
    - Is there a cause for concern
    - Is there a risk to the public
    - Is there a true violation
    - Time frame from date allegation occurred to filing of complaint

# Complaint Process

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- Step 5
  - Investigator consults with Board Attorney to determine best course of action
- Step 6
  - Investigator makes recommendation to Board
  - Board votes on recommendation; may make recommendation of its own
- Step 7
  - Board notifies Licensee of Board Ruling

# Possible Outcomes of Complaint

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- Dismissal or Take No Action
- Issue Non-Disciplinary Advisory Letter
- Consent Order Approved by Board
- Formal Charges or Hearing
  - Licensee may request an Informal Hearing prior to disciplinary sanctions
    - Rule 8.7

# Hearing Process

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- All parties present their case and evidence before the Board
- Court proceedings
  - Hearing Officer
  - Court Reporter records all information
  - Board hears case and makes final decision

# Licensee Rights During Disciplinary Hearing

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- **Your Rights**
- Right to counsel
- Right to present evidence
- Right to cross-examine witnesses
- Right to appeal
  - Licensee can appeal the Board's decision to Circuit Court in county of their residence

# Potential Sanctions

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- **Rule 8.3 and Miss. Code Ann. Section 73-30-21**
- Reprimand
- Refusal to renew license
- Restriction or limitation on Licensee's scope of practice
- Probation
- Suspension
- Revocation

# How to Protect Your License

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- **The Most Common Risk Areas**
- Documentation deficiencies
- Boundary crossings
- Dual relationships
- Inadequate supervision documentation
- Failure to respond to the Board
- **ETHICAL DECISION MAKING IS A MUST**

# How to Protect Your License

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- **Risk-Reduction Practices**
- Document as if it will be reviewed
  - Ethical decision making
  - Consultations
  - Case notes / progress notes / time and date of sessions
- Maintain clear policies and clear and appropriate Informed Consent
- Keep supervision logs current
- Respond promptly to Board correspondence
- Know your scope of practice

# Information

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- All information regarding Rules, Regs and Statutes are on the Board's website
- This presentation is for informational purposes only and do not constitute legal advice