

FY2024 INVESTIGATIVE ACTIVITY  
Department of Commerce, Community, and Economic Development  
Division of Corporations, Business and Professional Licensing

# **Annual Report**

## **Fiscal Year 2024**

### **INVESTIGATIONS UNIT**

**October 2024**



## **FY 2024 Investigative Activity**

**July 1, 2023 – June 30, 2024**

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Opened Cases	Closed Cases
1106	1227

The number of opened cases reflects ongoing investigative efforts of all types. Cases close at various points in the process; the general categories are described below.

**Intakes:** A case is opened based on initial contact with a complainant. If the complainant does not submit a formal written complaint to the division, cases are generally closed within thirty days. Cases will be reopened should a written complaint be returned. Intakes also include licensing applications received from professional licensing staff so Investigations can review potential issues for accuracy and potential violations. Cases closed at intake reflect those where a formal written complaint was not received and applications reviewed.

**Complaints:** Upon receipt of a formal written complaint, cases are assessed to determine if they are within the division’s jurisdiction. If so, cases are investigated by certified investigators to gather evidence and interview relevant parties. Cases closed at this stage reflect those where formal written grievances about a licensee were received, but the case was:

- Closed without action because the allegation is not jurisdictional under licensing statutes or regulations; or
- Closed without action because the board has determined the alleged conduct does not rise to the level appropriate for licensing action.

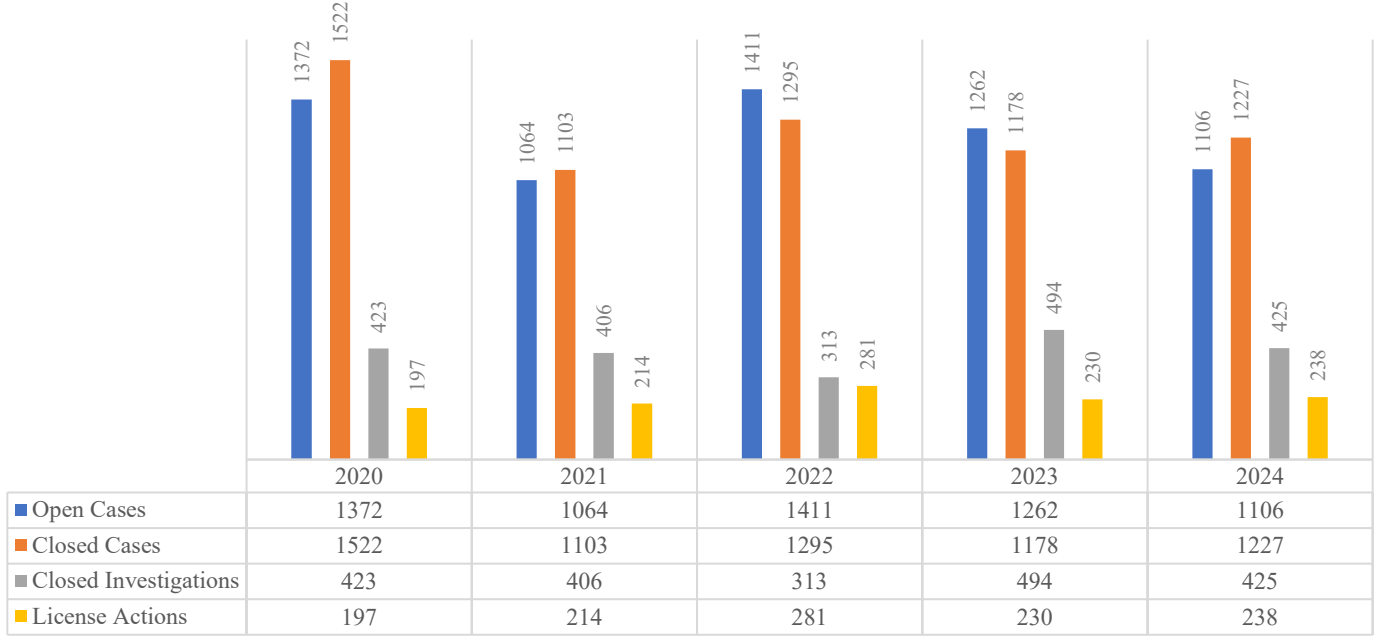
**Investigations:** These are cases where a formal written complaint was received that was jurisdictional and the board determined serious enough to warrant license action. These are matters clearly demonstrating the potential for violation of licensing statutes or regulations. These are reviewed by a board member and forwarded to the full board for formal censure or discipline.

**Division Inspections:** Investigators perform inspections on behalf of professional licensing programs under Alaska Statute 08.01.050 (a)(19). All programs can conduct inspections; however, the most common programs that employ compliance inspections are Pharmacy, Massage Therapy, Barbers & Hairdressers, Construction Contractors, Mechanical and Electrical Administrators, and Pawnbrokers.

Case Category	Total	Difference from FY 2023 to FY 2024
<b>Intakes Closed</b>	336	+7%
<b>Complaints Closed</b>	433	-15%
<b>Investigations Closed</b>	425	+17%
<b>Inspections Conducted</b>	20	-47%
<b>Cases Resulting in License Action</b>	238	+3%

FY2024 INVESTIGATIVE ACTIVITY  
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### INVESTIGATION UNIT ACTIVITY BY FISCAL YEAR



**Probation:** Matters opened by the division to track licensees’ adherence to the terms of mandated license probation as part of discipline determined by a board. Typically, a licensee is on probation because of board action after a formal investigation. Licensees can be placed on probation anywhere from six months to five years depending on board precedent and severity of offense warranting discipline.

<b>Licensees Placed on Probation in FY 2024</b>	46
<b>Licensees Whose Probation Ended in FY 2024</b>	10

**Top Complaints Received by Division:** The Division’s case management system tracks complaints received by the Division and each complaint is assigned one violation type from a list of standard categories. Below are the top violation types for complaints received by the Division. Violation of Licensing Statute or Regulation is chosen when there is no other specific applicable violation in the list (as all complaints are due to a violation of statute or regulation). It can encompass a wide range of violations due to the number of regulated professions that each have a unique set of statutes and regulations.

<b>Top Complaints Received by Division</b>	
<b>Continuing Education Violations</b>	270
<b>Violation of Licensing Statute or Regulation</b>	268
<b>Unprofessional/Unethical Conduct</b>	123
<b>Unlicensed Practice or Activity</b>	112
<b>License Application Reviews</b>	101
<b>Standard of Care</b>	47
<b>Substance Abuse</b>	26

FY2024 INVESTIGATIVE ACTIVITY  
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<b>FY 2024 Closed Case Dispositions</b>			
Abandoned License Application	1	License Action	238
Advisement Letter	148	License Lapsed - Flagged Do Not Renew	24
Application Denied	7	No Action - Insufficient Evidence	17
Application Withdrawn	6	No Action - Lack of Jurisdiction	52
Application Review Complete	79	No Action – Minor Offense	2
Cease and Desist Order	2	No Action - No Violation	388
Closed - Case Opened	7	No Action - Unfounded	3
Compliance	31	Other	27
Consent Order	1	Probation Completed	10
Incomplete Complaint	175	Referred to Other Agency	9
<b>Grand Total</b>			<b>1227</b>

FY2024 INVESTIGATIVE ACTIVITY  
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**Top 10 Boards Receiving Complaints**

<b>Board or Profession</b>	<b>Total Licensees</b>	<b>Complaints Received</b>
Nursing (Including Certified Nurse Aids)	30,263	369
Medical	7,976	164
Pharmacy	6,856	138
Big Game Commercial Services	1,746	70
Barbers and Hairdressers	7,549	67
Real Estate Commission	4,165	59
Massage Therapy	1,388	54
Construction Contractors	8,833	43
Social Workers	1,429	43
Dental	3,392	38
<b>Total</b>	<b>73,597</b>	<b>1,045</b>

Total FY 2024 Professional Licenses: 107,290

**Top 10 License Types Receiving Complaints**

<b>Profession</b>	<b>Complaints Received</b>
Physician or Surgeon	136
Registered Nurse	114
Certified Public Accountant	64
Pharmacy	51
Dentist	49
Assistant Guide	45
Pharmacist	37
Wholesale Drug Distributor	37
Advanced Nurse Practitioner	36
Massage Therapist	28
Professional Counselor	28
<b>Total</b>	<b>625</b>

FY2024 INVESTIGATIVE ACTIVITY  
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**Disciplinary Actions Taken for All Professions in FY 2024**

<b>Discipline Type</b>	<b>Total</b>
<b>Audit compliance</b>	50
<b>Additional Education Imposed</b>	17
<b>Fine</b>	153
<b>Probation</b>	46
<b>Reprimand</b>	99
<b>Revocation</b>	6
<b>Surrender</b>	36
<b>Suspension</b>	26
<b>Grand Total</b>	<b>433*</b>

(\*License action cases may contain multiple disciplinary actions.)

## FY 2024 Total Closed Investigative Cases by Board/Commission/Program

### Division of Corporations, Business and Professional Licensing

July 1, 2023 through June 30, 2024

#### Common Closed Case Dispositions:

1. <b>Abandoned License Application:</b> An applicant has failed to complete a submitted license application.
2. <b>Administrative Fine Paid:</b> An unlicensed contractor administrative fine being paid in full.
3. <b>Advisement Letter:</b> A letter issued to a licensee advising them that they were under official investigation, that a violation occurred, and warning them about the specific conduct. Advisement letters are issued when there is a violation but it did not rise to the level requiring formal disciplinary action.
4. <b>Application Denied:</b> Board or Division has denied an application for licensure.
5. <b>Application Withdrawn:</b> Applicant has withdrawn their application for licensure.
6. <b>Cease and Desist Order:</b> Unlicensed person/business being directed to cease practice or business.
7. <b>Closed - Case Opened:</b> When an inspection has been conducted and violations may be present, the inspection is closed in order to track that the inspection is complete and a new investigative case is opened to pursue the violation.
8. <b>Compliance:</b> When an inspection has been conducted and no violations were found, or a licensee has come into compliance with statutes and regulations and no further action is taken.
9. <b>Consent Order:</b> Confidential consent agreement (done for certain self-reported substance abuse matters).
10. <b>Criminal Prosecution:</b> Case will be pursued criminally.
11. <b>Declined by AG:</b> The Office of the Attorney General determined administrative prosecution could not occur based on legal requirements.
12. <b>Incomplete Complaint:</b> A complainant did not complete a complaint packet within 30 days.
13. <b>License Action:</b> Disciplinary action taken on a license. For example, a consent agreement with probation, a fine and additional education, or a revocation of license.
14. <b>Licensed Lapsed - Flagged Do Not Renew:</b> If a license has lapsed and the licensee is no longer practicing in Alaska, a case may be closed but their license will be flagged so if they re-apply for licensure, the case will be reopened, and investigation resumed prior to licensure.
15. <b>No Action - Insufficient Evidence:</b> After a full investigation there is not enough evidence to prove a violation occurred by the preponderance of the evidence.
16. <b>No Action - Lack of Jurisdiction:</b> The Division does not have jurisdiction over the complaint.
17. <b>No Action - Minor Offense:</b> Violations that have occurred but are so minor that they do not require formal action.
18. <b>No Action - No Violation:</b> The evidence in the case showed no violations occurred.
19. <b>No Action - Unfounded:</b> Similar to insufficient evidence; there was not enough evidence to prove a violation occurred based on preponderance of the evidence.
20. <b>Other:</b> Disposition used when all other closure types are not applicable.
21. <b>Probation Completed:</b> A probation term for a licensee has ended.

All Boards & Programs Total Cases Closure Type	Total Cases
<b>BUSINESS LICENSING</b>	<b>25</b>
Compliance	2
Incomplete Complaint	2
License Action	13
No Action - Lack of Jurisdiction	1
No Action - No Violation	6
Other (See Abstract)	1
<b>PROFESSIONAL LICENSING</b>	
<b>Acupuncturists</b>	<b>1</b>
Advisement Letter	1
<b>Architects, Engineers, Land Surveyors</b>	<b>19</b>
Advisement Letter	4
Incomplete Complaint	2
No Action - Lack of Jurisdiction	4
No Action - Minor Offense	1
No Action - No Violation	6
No Action - Unfounded	1
Other (See Abstract)	1
<b>Audiologists and Speech Language Pathologists</b>	<b>5</b>
Incomplete Complaint	1
No Action - Insufficient Evidence	1
No Action - Lack of Jurisdiction	1
License Action	1
Review Complete	1
<b>Barbers and Hairdressers</b>	<b>15</b>
Advisement Letter	2
Cease and Desist Order	2
Compliance	3
Incomplete Complaint	3
License Action	3
Review Complete	2
<b>Behavior Analysts</b>	<b>1</b>
Advisement Letter	1
<b>Big Game Commercial Services</b>	<b>94</b>
Advisement Letter	8
Application Denied	1
Incomplete Complaint	9
License Action	26
License Lapsed - Flagged Do Not Renew	2
No Action - No Violation	16



Review Complete	32
<b>Chiropractic Examiners</b>	<b>6</b>
Advisement Letter	1
Application Withdrawn	1
Incomplete Complaint	1
No Action - No Violation	3
<b>Collection Agencies</b>	<b>3</b>
Advisement Letter	1
Incomplete Complaint	1
Other (See Abstract)	1
<b>Construction Contractors</b>	<b>41</b>
Advisement Letter	1
Incomplete Complaint	16
License Action	2
No Action - Insufficient Evidence	3
No Action - Lack of Jurisdiction	2
No Action - No Violation	7
Other (See Abstract)	5
Referred to Other Agency	5
<b>Dental Examiners</b>	<b>48</b>
Advisement Letter	3
Application Withdrawn	1
Incomplete Complaint	9
License Action	7
No Action - Lack of Jurisdiction	2
No Action - No Violation	16
Other (See Abstract)	2
Probation Completed	1
Referred to Other Agency	4
Review Complete	3
<b>Dieticians and Nutritionists</b>	<b>1</b>
No Action - No Violation	1
<b>Direct-Entry Midwives</b>	<b>5</b>
Advisement Letter	1
Incomplete Complaint	1
License Action	2
No Action - No Violation	1
<b>Dispensing Opticians</b>	<b>2</b>
Advisement Letter	1
Incomplete Complaint	1
<b>Electrical Administrators</b>	<b>2</b>

No Action - No Violation	2
<b>Guardians and Conservators</b>	<b>5</b>
Incomplete Complaint	1
License Action	2
Other (See Abstract)	2
<b>Home Inspectors</b>	<b>6</b>
Incomplete Complaint	2
No Action - Insufficient Evidence	1
No Action - No Violation	1
Other (See Abstract)	2
<b>Marine Pilots</b>	<b>4</b>
Advisement Letter	1
Incomplete Complaint	2
No Action - No Violation	1
<b>Marital &amp; Family Therapy</b>	<b>3</b>
Incomplete Complaint	2
No Action - No Violation	1
<b>Massage Therapists</b>	<b>23</b>
Advisement Letter	4
Application Denied	1
Application Withdrawn	1
Incomplete Complaint	1
License Action	5
License Lapsed - Flagged Do Not Renew	4
No Action - Insufficient Evidence	1
No Action - Lack of Jurisdiction	1
No Action - No Violation	2
Probation Completed	1
Review Complete	2
<b>Mechanical Administrators</b>	<b>2</b>
Advisement Letter	1
No Action - No Violation	1
<b>Medical Board</b>	<b>148</b>
Abandoned License Application	1
Advisement Letter	15
Closed - Case Opened	4
Compliance	4
Incomplete Complaint	26
License Action	13
License Lapsed - Flagged Do Not Renew	3
No Action - Insufficient Evidence	3

No Action - Lack of Jurisdiction	13
No Action - No Violation	60
Other (See Abstract)	3
Probation Completed	1
Review Complete	2
<b>Mortuary Science</b>	<b>4</b>
Incomplete Complaint	1
No Action - Insufficient Evidence	1
No Action - Lack of Jurisdiction	1
No Action - No Violation	1
<b>Nursing</b>	<b>358</b>
Advisement Letter	35
Application Denied	4
Closed - Case Opened	2
Compliance	2
Incomplete Complaint	21
License Action	74
License Lapsed - Flagged Do Not Renew	14
No Action - Insufficient Evidence	4
No Action - Lack of Jurisdiction	8
No Action - Minor Offense	1
No Action - No Violation	183
Other (See Abstract)	2
Probation Completed	7
Review Complete	1
<b>Nursing Home Administrators</b>	<b>2</b>
Advisement Letter	1
Other (See Abstract)	1
<b>Optometry</b>	<b>4</b>
Advisement Letter	3
Compliance	1
<b>Pharmacy</b>	<b>170</b>
Advisement Letter	38
Application Withdrawn	2
Closed - Case Opened	1
Compliance	19
Consent Order	1
Incomplete Complaint	18
License Action	43
License Lapsed - Flagged Do Not Renew	1
No Action - Lack of Jurisdiction	7

No Action - No Violation	26
No Action - Unfounded	2
Other (See Abstract)	1
Review Complete	11
<b>Physical Therapy &amp; Occupational Therapy</b>	<b>13</b>
Advisement Letter	2
Application Withdrawn	1
Incomplete Complaint	2
License Action	2
No Action - No Violation	3
Review Complete	3
<b>Professional Counselors</b>	<b>37</b>
Advisement Letter	5
Incomplete Complaint	14
License Action	9
No Action - Lack of Jurisdiction	1
No Action - No Violation	4
Other (See Abstract)	1
Review Complete	3
<b>Psychologists and Psychological Associates</b>	<b>18</b>
Advisement Letter	3
Incomplete Complaint	2
No Action - Insufficient Evidence	1
No Action - Lack of Jurisdiction	1
No Action - No Violation	9
Review Complete	2
<b>Public Accountancy</b>	<b>28</b>
Advisement Letter	5
Incomplete Complaint	4
License Action	6
No Action - Insufficient Evidence	2
No Action - No Violation	5
Other (See Abstract)	1
Review Complete	5
<b>Real Estate Appraisers</b>	<b>17</b>
Advisement Letter	1
Incomplete Complaint	4
No Action - No Violation	6
Review Complete	6
<b>Real Estate Commission</b>	<b>59</b>
Advisement Letter	8

Incomplete Complaint	16
License Action	10
No Action - Lack of Jurisdiction	8
No Action - No Violation	13
Other (See Abstract)	1
Review Complete	3
<b>Social Work</b>	<b>35</b>
Advisement Letter	2
Application Denied	1
Incomplete Complaint	9
License Action	14
No Action - Lack of Jurisdiction	1
No Action - No Violation	5
Other (See Abstract)	1
Review Complete	2
<b>Veterinary Examiners</b>	<b>23</b>
Incomplete Complaint	4
License Action	6
No Action - Lack of Jurisdiction	1
No Action - No Violation	9
Other (See Abstract)	2
Review Complete	1
<b>Grand Total</b>	<b>1227</b>