

Disciplinary Complaint Form for Certified Breastfeeding Specialist

A Certified Breastfeeding Specialist (CBS) has successfully completed the required lactation specific education and passed the corresponding exam through Lactation Education Resources (LER). CBS' subscribe to a Standards of Practice and Scope of Practice.

Successful candidates are granted certification by LER and may hold themselves out to the public for lactation support services. LER has adopted these procedures to allow consumers and others to bring complaints concerning certificants' conduct to LER. LER may require education, obtain written assurance of discontinuation of specified conduct, privately reprimand, publicly reprimand, suspend the certificant or revoke the certificant's certification.

All information in a submission that constitutes personal data of a complainant (including one or more of the complainant's children), certificant, or a third party may be disclosed by LER to that person as part of the LER's disciplinary proceedings process. Such personal data will be subject to LER's privacy notice and the person's rights and obligations specified.

LER's CBS management and oversight team

The Program Director leads the CBS Oversight Committee and ensures the process is implemented and followed. All committee members, LER staff, instructors and other individuals engaged in investigations or decisions with respect to any complaint under these procedures shall be indemnified and defended by LER against liability arising from LER related activities to the extent provided by law.

Complaints

Complaints must be signed and include valid contact information for the submitter. It can be submitted either electronically via CBScomplaint@LactationTraining.com, or in writing, addressed to LER, at 712 Childs Point Road, Annapolis, MD, 21401, USA and marked "Personal and Confidential". Inquiries or submissions other than complaints may be reviewed and handled by LER at its discretion. During the course of the disciplinary process, a complainant's identity may become known to the certificant who is subject of the complaint for purposes of ensuring a fair process.

Review of Complaint

For each submission involving an alleged violation of the Standards of Practice and/or Scope of Practice, the Program Director shall authorize an investigation into the specific facts or circumstances to whatever extent necessary to clarify, expand, or corroborate the information provided by the submitter. The Program Director shall appoint a review team, comprised of three members of the CBS Oversight Committee, to investigate and make an appropriate determination with respect to each valid and actionable complaint.

LER may self-initiate complaints on the basis of anonymous complaints or third-party sourced information only when the allegations pertain to egregious conduct such as abuse or significant bodily harm. All other anonymous complaints will not be considered.

The individual filing a complaint is referred to as the "complainant" and must have direct, first-hand knowledge of the facts of a CBS violation of one or more principles of the Standards of Practice [attached] or Scope of Practice [attached]. Complaints made without sufficient documentation as well as those based on hearsay, may be invalid. All available information must be submitted with the complaint form (e.g., screenshots of social media posts, emails, photos, charting, etc.).

The complainant must provide signed consent authorizing LER to share with or otherwise disclose to (a) the certificant and (b) all persons with knowledge identified in the complaint all the information included in the complaint, or a summary of such information, for the purposes of the disciplinary proceeding initiated against a certificant. The consent includes an authorization for LER to collect information, including health information, from anyone who may have knowledge of the relevant facts about the complaint.

Upon receipt and preliminary review of a submission, the Program Director may conclude in their sole discretion, that the submission (a) contains unreliable or insufficient information, (b) is patently frivolous or inconsequential or (c) is otherwise not actionable under these procedures. If deemed invalid, the submission will be disposed. The submitter will be notified.

If the submission is deemed valid, written notice will be provided to the certificant whose conduct has been called into question. The notice shall include a copy of these procedures, a summary of the complaint, and provide thirty (30) days from receipt of the notice to submit in writing any information relating to the complaint that the certificant may want to present to the CBS Oversight Committee.

No one with personal involvement or conflict of interest may serve on the review team. The team will initially determine whether it is appropriate to review the complaint under these procedures or whether the matter should be referred to another organization or entity.

Both the individual submitting the complaint, and the certificant who is the subject of the investigation, or their employer, may be contacted for additional information with respect to the complaint. The time for providing such additional information shall be established by the review team. The review team may contact other individuals who may have knowledge of the facts and circumstances surrounding the complaint.

All investigations and deliberations of the review team are conducted in confidence. All written communications are sealed and marked "Personal and Confidential". The process is conducted objectively, without any indication of prejudgment. An investigation may be directed toward any aspect of a complaint which may be relevant.

Determination of violation

Upon completion of an investigation, the review team recommends to the Program Director and Medical Director that there has been a violation of the Standards of Practice and/or Scope of Practice. The review team may propose a sanction along with the results of their investigation. If the review team determines there is no violation, the complaint is dismissed and provides notice to the certificant and the individual who submitted the complaint.

If a violation has been found, the certificant shall be notified. The certificant shall be given thirty (30) days to respond in writing to the review team's findings.

The review team shall provide its determination in writing to the certificant whose conduct is at issue and explain the findings and identify which aspects of the Standards of Practice and/or Scope of Practice have been violated.

In certain circumstances, the certificant who has violated the Standards of Practice and/or Scope of Practice may be offered an opportunity to submit a written assurance that the conduct in question has been terminated and will not recur. If such an offer is extended, the certificant at issue must submit the required written assurance within thirty (30) days of receipt of the offer.

Sanctions

Any of the following sanctions may be imposed:

Relevant continuing education

Private or public written reprimand to the CBS

Suspension of the CBS for a designated period

Revocation of the CBS certification

In conjunction with any of the sanctions above, the review team may require that specific actions be taken by the certificant (e.g., continuing education on ethics or submission of a letter of assurance that the conduct in question has been terminated and will not recur) which are not requirements of certification.

For each of the public sanctions, a summary of the determination and the sanction will be published by LER.

Certificants who have had their certification revoked may not be considered for the CBS certification in the future. If certification is revoked, any and all certificates must be returned promptly to LER.

Resignation

If a certificant who is the subject of a complaint voluntarily surrenders their CBS certification at any time during the process of a complaint, the complaint is dismissed without any further action by the review team. The entire record is sealed and the individual may not purchase the CBS courses nor complete the certification. However, LER may authorize the review team leader to communicate the fact and date of resignation, and the fact and general nature of the complaint which was pending at the time of the resignation, to or at the request of a government entity engaged in the administration of law. Similarly, in the event of such resignation, the person or entity who submitted the complaint is notified of the fact and date of resignation and that LER has dismissed the complaint as a result.

These procedures are designed to resolve only complaints concerning potential unethical conduct of a CBS within the meaning of the Standards of Practice and/or Scope of Practice. These procedures are not applicable to disputes of a commercial or personal nature, such as claims that a CBS's conduct amounted to defamation or disparagement, or to differences in professional opinion. Such matters should be resolved without resorting to these procedures. Only complaints where the major component rises to the level of unethical conduct under the Standards of Practice and/or Scope of Practice will be considered by LER.

Complaint form

(please print and mail or include the following information in an email, sent to the address provided above)

Person filing complaint ("Complainant") NOTE: must be an individual with direct, firsthand knowledge of the facts involving a potential violation of the CBS Scope of Practice and/or Standards of Practice.

Complainant Information:

Name:

Email:

Address:

Telephone:

CBS whom complaint is being filed against:

Name:

Email Address:

Address:

Employer:

Telephone:

Complainant's relationship with CBS in question (e.g. consumer, supervisor, co-worker, etc.)

Provide a brief and concise summary of the complaint. Include answers to questions in your own words (who, what, where, when, why and how). Please include all relevant documentation with the complaint form. Attach additional pages if necessary.

Identify the specific provision(s) of the CBS Scope of Practice and/or Standards of Practice allegedly violated by the CBS who is the subject of this complaint. This information is required to proceed with the disciplinary process.

Other persons with knowledge of the incident(s) in the complaint. You must submit sufficient contact information for LER to notify these persons about the use of their personal data.

- | | |
|------------|----------------|
| 1.) Name: | Email: |
| Address: | Employer: |
| Telephone: | |
| 2.) Name: | Email Address: |
| Address: | Employer: |
| Telephone: | |
| 3.) Name: | Email Address: |
| Address: | Employer: |
| Telephone: | |

Other agencies or organizations you have submitted this complaint to (i.e. government licensing boards, police or other authorities, etc.)

Consent to disclosure of health information about you and your child(ren):

Your complaint about the CBS may include health information about you and/or one or more of your children. By signing below, you authorize LER to share with or otherwise disclose to (a) the CBS in question and (b) all persons with knowledge you identify in this complaint all the information you include in this complaint for the purposes of the disciplinary proceeding you have initiated against the CBS. This information will become part of LER's records for that CBS and will be maintained in accordance with applicable laws.

Consent to LER receiving health information about you and your child(ren) from certain third parties:

In order for us to investigate and address your complaint, we may collect information, including health information about you and your child(ren) from the CBS or any third party the CBS identifies as being a person with knowledge of relevant facts about your complaint. By signing below, you consent to us doing so. All information received will be maintained in accordance with applicable laws.

If you submit the complaint without signing this consent, we may not process your complaint and will not share your personal data with the CBS. However, we will keep your records in accordance with applicable laws.

The complaint must be signed by an individual with first-hand knowledge of the alleged violation(s) of the CBS Scope of Practice and/or Standards of Practice.

Signature:

Date:

By signing this document, you attest that all the information in this complaint is true and correct to the best of your knowledge.

Signature:

Date:

If the allegations in your complaint are determined to be possible violations of the CBS Scope of Practice and/or Standards of Practice, you will be notified that your complaint has been opened for investigation.

Conversely, if the allegations are determined not to be possible violations, you will receive notification that your complaint has been dismissed.