



Office of Addiction Services and Supports

Complaint # _____

JC Incident Type and # _____

[OASAS use only]

CREDENTIALLED ALCOHOLISM AND SUBSTANCE ABUSE COUNSELOR (CASAC) COMPLAINT FORM

To file a complaint about a CASAC, CASAC Trainee, or CASAC Applicant concerning any **alleged** violation of the Canon of Ethical Principles, Misconduct, or Other Prohibited Acts, please submit the completed form to the New York State Office of Addiction Services and Supports (OASAS) by e-mail at Credentiaing@oasas.ny.gov or:

Attn: Credentialing Unit
1450 Western Avenue
Albany, New York 12203

NOTE TO PROVIDER AGENCIES AND THEIR STAFF: If you are an OASAS certified provider or hold a CASAC credential, in addition to filing this CASAC complaint with OASAS, you may also be required to report the incident to the Justice Center VPCR. The Justice Center hotline # is 855-373-2122.

Have you reported this incident to the Justice Center? You must provide the date and Justice Center ID Number. Date _____ Incident # _____

Please note that while OASAS takes measures to protect the identity of the person filing the complaint, OASAS cannot guarantee anonymity. Additional information about the CASAC complaint process may be obtained by going to the OASAS website at <https://oasas.ny.gov/> or e-mailing the Credentialing Unit at Credentiaing@oasas.ny.gov. This form should be submitted as soon as possible after learning of an allegation. Programs and/or mandated reporters must submit a complaint form to OASAS within 24 hours of learning of the allegation.

CASAC, CASAC Trainee, or CASAC Applicant against whom the complaint is being registered:

Last Name: _____ Legal First Name: _____ Middle Initial: _____

Preferred Name: _____ City: _____ State: _____ Zip Code: _____

Telephone Number: _____ CASAC Trainee Applicant Certificate No.: _____

If the described behavior occurred in an OASAS-certified facility, please complete the following:

Treatment Provider/Program: _____

Address: _____

Complainant (person filing the complaint):

Last Name: _____ First Name: _____ Middle Initial: _____

Street: _____ City: _____ State: _____ Zip Code: _____

Telephone Number: _____ E-Mail Address: _____

Your association with the individual against whom the complaint is being filed would best be described as:

- Supervisor Subordinate Family Member, Significant Other, or Friend
 Co-Worker Patient/Former Patient Other: _____

Please note: Employees, volunteers, directors and operators of an OASAS-certified facility are Mandated Reporters. If you have reasonable cause to suspect a Reportable Incident involving a vulnerable person, you are also required to make a report to the VPCR immediately upon discovery. Please also provide the following information:

Program Name: _____ Your Title: _____

Nature of the Complaint

1. Please provide dates and specific details relating to the facts, circumstances, and allegations contained in the complaint. Attach any documentation to support the allegations, such as: internal memorandums, minutes of follow-up meetings and/or supervisory sessions, written statements/reports, termination notices, resignation letters, pertinent sections of personnel files, etc. **Additional sheets may be attached as necessary.**

2. If others have knowledge of the matter cited in your complaint, please provide their name and contact information. **[Note: Demonstration of informed consent *must* accompany this form for any witness who is a patient/service recipient of a provider of chemical dependence services.]**

3. If the CASAC, CASAC Trainee or CASAC Applicant has been asked to explain the alleged conduct, please briefly describe the explanation offered and identify the individuals involved in the dialogue.

4. If you have pursued resolution of the complaint through an internal grievance procedure, please provide the status and the name of the grievance procedure.

5. If you have filed an official complaint with any other Federal, State or local government agency based on this complaint, please provide the agency name, address, date filed, and status.

6. If you have commenced any civil or administrative action, or a proceeding in a Federal, State, or local court system based on this complaint, please identify the court and provide the date filed and status.

Alleged Violations (please check all that apply)

Part 853.19(a) -- Canon of Ethical Principles

- (1) Must practice objectivity and integrity; maintain the highest standards in the services offered; respect the values, attitudes, and opinions of others; and provide services only in an appropriate professional relationship.
- (2) Must not discriminate in work-related activities based on race, religion, age, gender, disabilities, ethnicity, national origins, sexual orientation, economic condition, or any other basis proscribed by law.
- (3) Must respect the integrity and protect the welfare of the person or group with whom the counselor is working.
- (4) Must embrace, as a primary obligation, the duty of protecting the privacy of service recipients and must not disclose confidential information or records under his/her control in strict accordance with federal, state and local laws.
- (5) Must not engage in dual relationships as defined in this Part. If a credentialed professional engages in conduct contrary to this prohibition or claims that an exception to this prohibition is warranted because of extraordinary circumstances, it is the credentialed professional who assumes the full burden of demonstrating that the former client has not been exploited, coerced, or manipulated, intentionally or unintentionally.
- (6) Must not engage in sexual activities or sexual contact with current or former clients (lack of consent is presumed).
- (7) Must not knowingly engage in behavior that is harassing or demeaning, including, but not limited to, sexual harassment.
- (8) Must not exploit service recipients or others over whom they have a position of authority.
- (9) Must treat colleagues and other professionals with respect, courtesy and fairness and cooperate in order to serve the best interests of service recipients.
- (10) Must notify appropriate authorities, including employers and OASAS, when they have direct knowledge of a colleague's impairment, Code of Conduct violations or misconduct which may interfere with treatment effectiveness and place service recipients and others at risk.
- (11) Recognize the effects of their own impairment on professional performance and must not provide services which create conflict of interest or impair work performance and clinical judgment.
- (12) Shall cooperate with investigations, proceedings, and requirements of OASAS or other authorities which have jurisdiction over those charged with a violation of any statute, regulation, or rule.
- (13) Must not participate in the filing of frivolous ethics complaints or which have a purpose other than to protect the public.
- (14) Must assure that financial practices are in accord with professional standards which safeguard the best interests of the service recipients, the counselor, and the profession.
- (15) Shall take reasonable steps to ensure documentation in records is accurate, sufficient, and timely thereby ensuring appropriateness and continuity of services provided to service recipients.
- (16) Must uphold the legal and accepted moral codes which pertain to professional conduct.
- (17) Must recognize the need for ongoing education to maintain current competence, and to improve expertise and skills.
- (18) Must acknowledge the limits of present knowledge in public statements concerning alcoholism and substance abuse. The CASAC must report fairly and accurately the appropriate information and must acknowledge and document materials and techniques used.

Alleged Violations *(continued)*

Part 853.28(a) -- Canon of Ethical Principles *(continued)*

- (19) Must assign credit to all who have contributed to published material and for the work upon which publication is based.
- (20) Must strive to inform the public, of the effects of alcoholism and substance abuse. The Credentialed Alcoholism and Substance Abuse Counselor must adopt a personal and professional stance which promotes the well-being of the recovery community.

Part 853.13 (c) -- Misconduct

- (1) Obtaining the credential or designation fraudulently.
- (2) Practicing or providing services fraudulently, with gross incompetence, with gross negligence on a particular occasion or negligence or incompetence on more than one occasion, or otherwise acting contrary to the interests of a service recipient.
- (3) Practicing or providing services while under the influence of alcohol and/or other substances.
- (4) Violating any term or condition or limitation imposed by the Office of the credentialed professional.
- (5) Refusing to provide services to a person, individual, organization or community because of race, creed, color, gender, age, disability, national origin, sexual orientation, or socioeconomic status.
- (6) Being convicted of or committing an act constituting a crime under New York State law, Federal law, or the law of another jurisdiction which, if committed within New York, would constitute a crime in this state...
- (7) Promoting the inappropriate sale of services, goods, property or drugs in such manner as to exploit a service recipient for the financial gain of the certified/credentialed professional or of a third party.
- (8) Directly or indirectly offering, giving, soliciting or receiving, or agreeing to receive, any fee, or other consideration to or from a third party for the referral of a service recipient in connection with the performance of addiction services.
- (9) Entering into a dual relationship with a service recipient or former service recipient that is outside of the boundaries of professional conduct.
- (10) Initiating or pursuing a romantic, sexual or otherwise sexually exploitive relationship or committing sexual misconduct with a service recipient using romantic/sexual comments or touch, romantic/sexual contact in written, telephonic, or electronic format including but not limited to social media, text messaging, email, photos, videos or recordings of a romantic or sexual nature.
- (11) Engaging in any conduct which would constitute a "reportable incident" as such terms are defined in Part 836* of this Title.
* 14 NYCRR Part 836 [Incident Reporting in OASAS Certified, Licensed, Funded, or Operated Services]
- (12) Failure by the applicant or credentialed professional to notify the Office of any disciplinary action taken against him or her as the holder of any other license or certification issued by New York State or any other federal or state authority.
- (13) Professional misconduct as the holder of another license or credential
- (14) Unlawful use of the title Credentialed Alcoholism and Substance Abuse Counselor; Credentialed Alcoholism and Substance Abuse Counselor Trainee, Credentialed Prevention Professional, Credentialed Prevention Specialist or Credentialed Problem Gambling Counselor, including use of such title if a credential is inactive, suspended, expired or revoked, or is pending approval of reciprocity.

- (15) No person shall use any of the titles to engage in private practice unless otherwise authorized by law: Credentialed Alcoholism and Substance Abuse Counselor (CASAC); Credentialed Alcoholism and Substance Abuse Counselor Trainee (CASAC Trainee), Credentialed Prevention Professional (CPP), Credentialed Prevention Specialist (CPS), or Credentialed Problem Gambling Counselor (CPCG).

- (16) Knowingly working outside of the scope of practice of the credential as applicable in the work setting.

Complainant (person filing the complaint)

I understand that the CASAC, CASAC Trainee, or CASAC Applicant against whom this complaint is being filed shall be fully informed concerning the formal complaint process and shall be given the opportunity to submit rebuttal information and/or materials concerning the complaint. I have completed this Complaint Form to the best of my knowledge and am willing to participate in a full investigation of all allegations noted in the complaint.

I swear that the information contained herein, and materials enclosed are true and correct.

Name (Please Type or Print)

Signature

Date

SECTION 210.05 OF THE PENAL LAW PROVIDES THAT A PERSON IS GUILTY OF PERJURY IN THE THIRD DEGREE, A CLASS "A" MISDEMEANOR, WHEN HE SWEARS FALSELY.