



Note of Explanation

If your complaint was not accepted for investigation by the Department of Health or it was referred to another agency or department for possible action, the following information will help you understand why this decision was made.

Under Florida Law, as enacted by the Florida State Legislature the Department of Health regulates only the following professions:

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| Acupuncturist - Chapter 457 | Nursing Home Administrator – Chapter 468-II |
| Athletic Trainers - Chapter 468-IX | Nutrition Counselor – Chapter 468-X |
| Audiologist - Chapter 468, Part I | Occupation Therapist – Chapter 468-III |
| Certified Master Social Worker – Chapter 491 | Optometry - Chapter 463 |
| Chiropractic Physician – Chapter 460 | Optician – Chapter 484 |
| Clinical Social Worker – Chapter 491 | Osteopathic Physician – Chapter 459 |
| Clinical Lab Personnel – Chapter 483-III | Pharmacist – Chapter 465 |
| Dentist – Chapter 466 | Pharmacy Establishment – Chapter 465 |
| Dental Hygienist – Chapter 466 | Physical Therapist – Chapter 486 |
| Dental Lab - Chapter 466 | Physician – Chapter 458 |
| Dietitian/Nutritionist – Chapter 468-X | Physician Assistant – Chapter 458 |
| Electrolysis - Chapter 478 | Podiatrist – Chapter 461 |
| Hearing Aid Specialist – Chapter 484-II | Prosthetist and Orthotists - Chapter 468-XIV |
| Marriage/Family Therapist – Chapter 491 | Psychologist – Chapter 490 |
| Massage Therapist – Chapter 480 | Respiratory Therapist – Chapter 468-V |
| Mental Health Counselor – Chapter 491 | School Psychologist – Chapter 491 |
| Midwifery - Chapter 467 | Speech-Language Pathologist – Chapter 468-I |
| Naturopathic Examiner – Chapter 462 | |

When a complaint is filed against a licensee in one of the above listed professions, that complaint usually alleges that the person has committed some act or behaved in some way that the complainant feels is wrong or unethical. That may very well be the case; however, each of these professions has a Chapter in Florida Law, written and enacted by the Florida Legislature, which outlines very specifically those acts which are considered violations of the applicable laws.

If the complaint involves a particular act or behavior which is not mentioned specifically in the law as a prohibited act, then this Department as an agency of the state government, has no authority to investigate that complaint. Some examples of types of complaints which the Department cannot investigate:

1. Fee Disputes – the Department of Health has no authority over how much a professional can charge you for his or her services (except as it might relate to insurance, or other types of fraud).
2. Personal conduct, behavior, actions which do not directly relate to a person's ability to practice his profession and/or which do not occur in the course of that person's practice or his profession.
3. Certain disputes over signed contracts which may only be resolved in civil court.

These are just a few examples of kinds of complaints that the Department cannot investigate, simply because we are not granted the authority by the legislature to do so.

If you wish a copy of the state law which governs a particular profession, please make this request in writing to:

**Department of Health
Division of Medical Quality Assurance
Consumer Services Unit
4052 Bald Cypress Way, Bin C-75
Tallahassee, FL 32399-3275**