



FEDERATION OF  
STATE MEDICAL BOARDS

## Non-disciplinary Board Punishments

*Board-by-Board Statutes and Regulations*

- 53 boards have “non-disciplinary” punishments, such as a letter of caution or reprimand.

SMB	Allows Letters of Concern	Statute/Regulation Citation
AL	X	<p><a href="#">Ala. Admin. Code r. 540-X-5-.09</a></p> <p>(4) At any time in the course of an investigation the Board may, within its discretion, issue a letter of concern to the physician or osteopath who is the subject of the investigation. A letter of concern shall consist of a private, confidential, written communication from the Board of Medical Examiners to the physician or osteopath, the contents of which shall be specified by the Board. A letter of concern shall not be considered a disciplinary action and is not intended to communicate a finding on the part of the Board that the physician or osteopath to whom the letter of concern is directed will be charged with or has been found guilty of any wrong doing. The purpose of the letter of concern is to provide notice to the physician or osteopath under investigation that the Board has concluded that the actions or conduct in question may not be in accord with generally accepted standards of medical practice and/or may be detrimental to patient care. The issuance of a letter of concern by the Board of Medical Examiners shall not preclude the Board from taking any other action authorized by law, including the filing of a written complaint with the Medical Licensure Commission in accordance with paragraph (2) of this Rule. A letter of concern shall be deemed a non-public record of the Board of Medical Examiners under the provisions of Rule 540-X-1-.03(5). The Board within its discretion, if applicable, may notify the person or persons whose complaint led to the Board's investigation that the physician or osteopath in question has been sent a letter of concern. The Board may make public statistical reports concerning the number and type of letters of concern issued by the Board.</p>
AK	X	<p><a href="#">Alaska Stat. § 08.64.331</a></p> <p>(a) If the board finds that a licensee has committed an act set out in AS 08.64.326(a), the board may... (4) issue a letter of reprimand</p>
AZ-M	X	<p><a href="#">AMB Disciplinary Glossary</a></p> <p>Advisory Letter: A non-disciplinary letter that notifies a licensee that he/she has committed either a minor technical violation or that there is not enough evidence to take a disciplinary action or that, while the licensee has made substantial efforts for remediation or rehabilitation, repetition of the activities that led to the investigation may result in further Board action.</p>
AZ-O	X	<p><a href="#">Ariz. Rev. Stat. § 32-1800</a></p> <p>15. "Letter of concern" means an advisory letter to notify a physician that while there is insufficient evidence to support disciplinary action against the physician's license there is sufficient evidence for the board to notify the physician of its concern.</p> <p><a href="#">Ariz. Rev. Stat. § 32-1803</a></p> <p>A. The board shall: ... 2. Issue licenses, conduct hearings, place physicians on probation, revoke or suspend licenses, enter into stipulated orders, issue letters of concern or decrees of censure and administer and enforce this chapter.</p> <p>3. Maintain a record of its acts and proceedings, including the issuance, denial, renewal, suspension or revocation of licenses to practice according to this chapter. The board shall delete records of complaints only as follows: ... (b) If the board has issued a letter of concern but has taken no further action on the complaint, the board shall delete the public record of the complaint five years after it issued the letter of concern.</p> <p>4. Maintain a public directory of all osteopathic physicians and surgeons who are or were licensed pursuant to this chapter that includes: ... (f) Letters of concern, remedial continuing medical education ordered and dismissals of complaints against the physician until deleted from the public record pursuant to paragraph 3 of this subsection.</p>
AR	--	<p><a href="#">Ark. Code § 17-105-114</a></p>

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CA-M	X	<a href="#">Cal. BPC § 495</a> Public reprovls: Notwithstanding any other provision of law, any entity authorized to issue a license or certificate pursuant to this code may publicly reprove a licentiate or certificate holder thereof, for any act that would constitute grounds to suspend or revoke a license or certificate...
CA-O	X	<a href="#">CA Osteo Board Disciplinary Actions</a> Public Reprimand - The licensee is issued a letter of reprimand resulting from a disciplinary action or pursuant to BPC § 2233. <a href="#">Cal. BPC § 2233</a> The board may, by stipulation or settlement with the affected physician and surgeon, issue a public letter of reprimand after it has conducted an investigation or inspection as provided in this article, rather than filing or prosecuting a formal accusation. The public letter of reprimand may, at the discretion of the board, include a requirement for specified training or education. The affected physician and surgeon shall indicate agreement or nonagreement in writing within 30 days of formal notification by the board of its intention to issue the letter. The board, at its option, may extend the response time. Use of a public reprimand shall be limited to minor violations and shall be issued under guidelines established by regulations of the board.
CO	X	<a href="#">Colo. Rev. Stat. § 12-20-404</a> (5) Confidential letter of concern. (a) When a complaint or investigation discloses an instance of conduct that does not warrant formal action by a regulator and, in the opinion of the regulator, should be dismissed, but the regulator has noticed indications of possible errant conduct by the licensee, certificate holder, or registrant that could lead to serious consequences if not corrected, the regulator may or shall, in accordance with the part or article of this title 12 governing the particular profession or occupation, send the licensee, certificate holder, or registrant a confidential letter of concern.
CT	--	<a href="#">Conn. Gen. Stat. § 20-13k</a>
DE	X	<a href="#">Del. Code tit. 24, § 1731B</a> (a) If [it's]... determine[d] after the investigation that a violation of this chapter or of regulations enacted pursuant to this chapter which warrants formal disciplinary action has not occurred, but that an act or omission of the person is a matter of concern and that the person's practice may be improved if the person is made aware of the concern... may issue a nondisciplinary, confidential letter of concern regarding the person's act or omission. (b) If a person certified to practice medicine receives a total of 3 letters of concern and/or letters of counseling pursuant to this section, the Executive Director may reasonably require a formal assessment of professional competency...
DC	X	<a href="#">DC Health - Responding to Letters of Concern from the Board</a>
FL-M	X	<a href="#">Fla. Stat. § 456.072</a> (2) When the board, or the department when there is no board, finds any person guilty of the grounds set forth in subsection (1) or of any grounds set forth in the applicable practice act, including conduct constituting a substantial violation of subsection (1) or a violation of the applicable practice act which occurred prior to obtaining a license, it may enter an order imposing one or more of the following penalties: ... (e) Issuance of a reprimand or letter of concern.
FL-O	X	<i>Same as FL-M</i>
GA	X	<a href="#">Ga. Code Ann. § 43-34-8</a> (3) Neither the issuance of a private reprimand nor the denial of a license, certificate, or permit nor the denial of a request for reinstatement of a revoked license, certificate, or permit nor the refusal to issue a previously denied license, certificate, or permit shall be considered to be a contested case within the meaning of Chapter 13 of Title 50, the "Georgia Administrative Procedure Act"; notice and hearing within the meaning of said chapter shall not be required, but the applicant or licensee, certificate holder, or permit holder shall be allowed to appear before the board if he or she so requests. The board may resolve a pending action by the issuance of a letter of concern. Such letter shall not be considered a disciplinary action or a contested case under § 50-13 and shall not be disclosed to any person except the holder of a license, certificate, or permit or an applicant.
GU	X	<a href="#">Guam Code Ann. § 101216</a> (a) Upon a finding that the respondent has violated any of the enumerated provisions of the Allied Health Practice Act, or any rule established by the Board, including the Standards of Professional Conduct & Ethics applicable to the licensee, the Board may impose any or all of the disciplinary penalties authorized by law including... (1) Advisory Censure and Chastisement – This is a written

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		action issued to the licensee for minor or near infractions. It is informal and advisory in nature and does not constitute a formal disciplinary action.
HI	X	<a href="#">Haw. Rev. Stat. § 453-8.2</a> In addition to any other actions authorized by law, in disciplining a licensee in a proceeding held in conformity with chapter 91, the board may impose one or more of the following sanctions: ... (7) Censure or reprimand.
ID	X	<a href="#">Idaho Code Ann. § 54-1806A</a> (9) Adjudication of Discipline or Exoneration. The board shall make a determination of the merits of all proceedings, studies and investigations and, if grounds therefor are found to exist, may issue its order: ... (d) Issuing a public reprimand
IL	X	<a href="#">225 Ill. Comp. Stat. § 60-2</a> "Disciplinary action" means revocation, suspension, probation, supervision, practice modification, reprimand, required education, fines or any other action taken by the Department against a person holding a license.
IN	X	<a href="#">IN Code § 25-1-9-9</a> (a) The board may impose any of the following sanctions, singly or in combination, if it finds that a practitioner is subject to disciplinary sanctions... (4) Issue a letter of reprimand
IA	X	<a href="#">IBoM Enforcement Guidance</a> Disposition of Cases: The board has a range of actions that it is authorized to take following a hearing or as part of a settlement. The board may impose any combination of these actions it finds appropriate: ... Issue the licensee a formal Citation and Warning
KS	X	<a href="#">Kan. Stat. Ann. § 65-2838a</a> (a) The board or a committee of the board, as a non-disciplinary resolution, may enter into a written agreement with a licensee, registrant, permit holder or certificate holder for a professional development plan, make written recommendations to the person or issue a written letter of concern to the person if the board, or committee of the board determines that the person: (1) Seeks to establish continued competency for renewal other than through continued education requirements established pursuant to the applicable practice act; (2) has been absent from clinical practice for an extended period of time and seeks to resume clinical practice; (3) has failed to adhere to the applicable standard of care but not to a degree constituting professional incompetence, as defined by the applicable practice act; or (4) has engaged in an act or practice that, if continued, would reasonably be expected to result in future violations of the applicable practice act.
KY	X	<a href="#">KY Rev Stat § 311.591</a> (3) Upon completion of its inquiry, the inquiry panel shall make a finding that: ... (b)There is insufficient evidence of a violation to warrant the issuance of a complaint, but that there is evidence of a practice or activity that requires modification and the panel may issue a letter of concern under KRS 311.550(22). The letter of concern shall be a public document and may be used in future disciplinary actions against the physician
LA	X	<a href="#">La. Admin. Code tit. 46 § XLV-9713</a> A. The board may, before, during, or following an investigation, or after filing an administrative complaint, dispose of any complaint through informal disposition. B. Informal dispositions may take the form of any disposition recognized by R.S. 49:955(D), or any other form of agreement which adequately addresses the complaint or matter under review or investigation; provided, however, that such dispositions are considered by the board only upon the recommendation of the board's lead investigator with respect to the investigation and all such dispositions require approval by a majority vote of the board members present and voting at a board meeting. C. Informal dispositions may be either non-disciplinary or disciplinary: 1. Non-disciplinary dispositions consist of correspondence, an informal conference and a letter of concern. These dispositions shall not constitute disciplinary action, are not a public record of the board and are not reported and distributed in the same manner as final decisions of the board.
ME-M	X	<a href="#">Me. Stat. tit. 10, § 8003.5</a> E. The bureau, office, board or commission may issue letters of guidance or concern to a licensee or registrant. Letters of guidance or concern may be used to educate, reinforce knowledge regarding legal or professional obligations and express concern over action or inaction by the licensee or registrant that does not rise to the level of misconduct sufficient to merit disciplinary action. The issuance of a letter of guidance or concern is not a formal proceeding and does not constitute an

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		adverse disciplinary action of any form. Notwithstanding any other provision of law, letters of guidance or concern are not confidential. The bureau, office, board or commission may place letters of guidance or concern, together with any underlying complaint, report and investigation materials, in a licensee's or registrant's file for a specified amount of time, not to exceed 10 years. Any letters, complaints and materials placed on file may be accessed and considered by the bureau, office, board or commission in any subsequent action commenced against the licensee or registrant within the specified time frame. Complaints, reports and investigation materials placed on file are only confidential to the extent that confidentiality is required pursuant to Title 24, chapter 21, the Maine Health Security Act.
ME-O	X	<i>Same as ME-M</i>
MD	X	<a href="#">MBoP Complaint FAQs</a> No formal action. Typically, this is the result when no violation of the Medical Practice Act has occurred. In some cases, there may be no violation of the Medical Practice Act that rises to the level of a violation of the Medical Practice Act, but the Board is nonetheless concerned about some aspect of the provider's conduct or performance. In such cases, the Board will send a confidential advisory letter to the provider.
MA	X	<a href="#">243 CMR 1.01</a> Disciplinary Action means an action adversely affecting a licensee... (c) A disciplinary action includes any of the following actions or their substantial equivalents, whether voluntary or involuntary: 4. Written reprimand or admonition.
MI-M	--	
MI-O	--	
MN	X	<a href="#">MBoMP Corrective Actions</a> The new tool is an agreement for corrective action, which is a contract between a licensee or registrant and the Complaint Review Committee. A corrective action agreement differs from a disciplinary order of the Board in several respects. First, corrective action resolves a complaint without imposing discipline. The health-related licensing boards jointly sought authority for corrective action as a means of dealing with less serious infractions of their respective practice acts. Corrective action permits the board to take action short of discipline. Second, corrective action is not discipline. That means it is not subject to the publication requirement and will not be reported to the National Practitioner Data Bank. The Board will not include information about corrective actions in its legislatively-mandated press releases about disciplinary actions. On request, the public (including the press) may see and review corrective action agreements, however, because they are public documents.
MS	X	<a href="#">Miss. Code R. 8.7</a> In disciplining a physician licensed to practice medicine in Mississippi or otherwise holding any physician professionally accountable pursuant to these rules and to the statutes, rulings, and other rules and provisions of Mississippi law, the actions that the Mississippi State Board of Medical Licensure may take include, but are not limited to, one or more of the following: ... G. Any other action regarding any physician that the Board may deem proper under the circumstances (e.g., issuing an advisory letter of concern; issuing a notice of warning; issuing a cease and desist notice; or adopting a resolution of disapproval of any physician's medical expert activities).
MO	--	
MP	X	<a href="#">1 CMC § 140-50.1-128</a> (b) If the Board finds the person charged has violated 3 CMC §§ 2201-2272, or the regulations in this subchapter, it may: ... (2) Administer to the person a public or private reprimand.
MT	X	<a href="#">Mont. Admin. R. 37-1-136</a> Disciplinary authority of boards — injunctions. (1) Subject to 37-1-138, each licensing board allocated to the department has the authority, in addition to any other penalty or disciplinary action provided by law, to adopt rules specifying grounds for disciplinary action and rules providing for: ... (e) reprimand or censure of a licensee
NC	X	<a href="#">N.C. Gen. Stat. § 90-121.2</a> In addition to and in conjunction with the actions described above, the Board may make a finding adverse to a licensee or applicant but withhold imposition of judgment and penalty or it may impose judgment and penalty but suspend enforcement thereof and place the licensee on probation, which probation may be vacated upon noncompliance with such reasonable terms as the Board may impose.

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		The Board may administer a public or private reprimand or a private letter of concern, and the private reprimand and private letter of concern shall not require a hearing in accordance with G.S. 90-121.3 and shall not be disclosed to any person except the licensee. The Board may require a licensee to: (i) make specific redress or monetary redress; (ii) provide free public or charity service; (iii) complete educational, remedial training, or treatment programs; (iv) pay a fine; and (v) reimburse the Board for disciplinary costs.
ND	X	<a href="#">N.D. Cent. Code § 43-17-30.1</a> The board is authorized to take disciplinary action against a licensed physician by any one or more of the following means, as it may find appropriate: ... 5.Letter of censure. 6.Require the licensee to provide free public or charitable service for a defined period.
NE	--	
NH	X	<a href="#">N.H. Rev. Stat. § 329:17</a> VII-a. The board may issue a nondisciplinary confidential letter of concern to a licensee advising that while there is insufficient evidence to support disciplinary action, the board believes the physician or physician assistant should modify or eliminate certain practices, and that continuation of the activities which led to the information being submitted to the board may result in action against the licensee's license. This letter shall not be released to the public or any other licensing authority, except that the letter may be used as evidence in subsequent disciplinary proceedings by the board, and shall be sent to a physician assistant's employer, if applicable.
NJ	--	
NM	X	<a href="#">N.M. Code R. § 16.10.5.12</a> The board may issue a letter of censure or reprimand to a licensee for any minor violation of the Medical Practice Act pursuant to Section 61-1-3 of the Uniform Licensing Act.
NV-M	X	<a href="#">NRS § 630.299</a> 1. If the Board has reason to believe that a person has violated or is violating any provision of this chapter, the Board or any investigative committee of the Board may issue to the person a letter of warning, a letter of concern or a nonpunitive admonishment at any time before the Board has initiated any disciplinary proceedings against the person. 2. The issuance of such a letter or admonishment: (a) Does not preclude the Board from initiating any disciplinary proceedings against the person or taking any disciplinary action against the person based on any conduct alleged or described in the letter or admonishment or any other conduct; and (b) Does not constitute a final decision of the Board and is not subject to judicial review.
NV-O	X	<i>Same as NV-M</i>
NY	X	<a href="#">N.Y. Pub. Health Law § 230-A</a> Penalties for professional misconduct. The penalties which may be imposed by the state board for professional medical conduct on a present or former licensee found guilty of professional misconduct... 1. Censure and reprimand
OH	X	<a href="#">Ohio Rev. Code § 4731.22</a> (B) Except as provided in division (P) of this section, the board, by an affirmative vote of not fewer than six members, shall, to the extent permitted by law, limit, revoke, or suspend a license or certificate to practice or certificate to recommend, refuse to issue a license or certificate, refuse to renew a license or certificate, refuse to reinstate a license or certificate, or <b>reprimand</b> or place on probation
OK-M		<a href="#">Okla. Stat. tit. 59 § 509.1</a> B. Letter of Concern: The Board may authorize the secretary to issue a confidential letter of concern to a licensee when evidence does not warrant formal proceedings, but the secretary has noted indications of possible errant conduct that could lead to serious consequences and formal action. The letter of concern may contain, at the secretary's discretion, clarifying information from the licensee.
OK-O	X	<a href="#">Okla. Stat. tit. 59 § 637.1</a> C. The Secretary of the Board may issue a letter of concern to a licensee, without a hearing, when evidence does not warrant formal proceedings, but indications exist of possible errant conduct that could lead to serious consequences and formal action. The letter of concern may contain, at the Secretary's discretion, clarifying information from the licensee. Such letters of concern are considered remedial.
OR	--	<a href="#">Or. Rev. Stat. § 677.205</a>
PA-M	X	<a href="#">63 Pa. Cons. Stat. § 422.42</a>



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		a) Authorized actions.--When the board is empowered to take disciplinary or corrective action against a board-regulated practitioner under the provisions of this act or pursuant to other statutory authority, the board may: ... (2) Administer a public reprimand with or without probation.
PA-O	X	<a href="#">PA ST 63 P.S. § 271.15</a> (c) Whenever the board finds that the license or a certificate of a person may be refused, revoked or suspended under the terms of this act, the board may: ... (2) Administer a public or private reprimand.
PR	X	<a href="#">P.R. Laws tit. 20, § 134</a> (e) The Board may suspend, cancel, or revoke a license, censure, <b>reprimand</b> or place a physician or an osteopath on a probation period as pertains to the exercise of his/her profession for a specific term, and the probation conditions which best suit the protection of the public health, safety, and as believed to be most adequate for the rehabilitation of the physician or osteopath on probation, with the previous notice of the charges and the holding of an administrative hearing whereby the physician or osteopath thus affected is guaranteed due process of law...
RI	X	<a href="#">RI Gen L § 5-37-6.3</a> If the accused is found guilty of unprofessional conduct as described in § 5-37-6.2, the director, at the direction of the board, shall impose one or more of the following conditions: (1) Administer a reprimand
SC	X	<a href="#">SC Code § 40-47-20</a> In addition to the definitions provided in Section 40-1-20, as used in this chapter unless the context indicates otherwise: ... (25) "Letter of caution or concern" means a written caution or warning about past or future conduct issued when it is determined that no misconduct has been committed. The issuance of a letter of caution or concern is not a form of discipline and does not constitute a finding of misconduct. The fact that a letter of caution or concern has been issued must not be considered in a subsequent disciplinary proceeding against a person authorized to practice unless the caution or warning contained in the letter of caution or concern is relevant to the misconduct alleged in the proceedings.
SD	X	<a href="#">S.D. Admin. R. 20:78:04:04</a> Upon completion of a complaint investigation, the executive secretary may: ... (2) Issue a letter of concern, which shall be placed in the licensee's permanent records. A letter of concern is not a public record; (3) Recommend the board issue the licensee a public reprimand...
TN-M	X	<a href="#">Tenn. Comp. R. &amp; Regs. 0880-02-.12</a> (1) Upon a finding by the Board that a licensee has violated any provision of the Tennessee Medical Practice Act (T.C.A. §§63-6-101 et seq.) or the rules promulgated pursuant thereto, the Board may impose any of the following actions separately or in any combination which is deemed appropriate to the offense: (a) Private Censure - This is a written action issued to the licensee for minor or near infractions. It is informal and advisory in nature and does not constitute a formal disciplinary action. (b) Public censure or reprimand - This is a written action issued to a licensee for one time and less severe violations. It is a formal disciplinary action.
TN-O	X	<i>Same as TN-M</i> ( <a href="#">Tenn. Comp. R. &amp; Regs. 1050-02-.10</a> )
TX	X	<a href="#">TMB Enforcement Process Guide</a> Informal Resolution: ... If the panel finds a violation, it may offer an agreed order setting out the sanctions and terms to be imposed on the respondent. For certain types of minor violations, the panel may offer a remedial plan which is a corrective action that is considered to be non-disciplinary.
UT-M	--	
UT-O	--	
VT-M	X	<a href="#">26 V.S.A. § 1374</a> (b)(1) If a majority of the members of the Board present and voting find that the individual complained against committed unprofessional conduct as specified in one or more of the charges, the Board shall prepare written findings of fact, conclusions, and an order, copies of which shall be served upon the individual complained against. (A) In its order, the Board may do one or more of the following: (i) reprimand the individual complained against
VT-O	--	
VI	X	<a href="#">V.I. Code tit. 27, § 8</a> (a) Range of actions. A range of disciplinary actions are available to the Board. These include, but are not limited to, the following: ... (6) reprimand; (7) chastisement
VA	--	

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WA-M	--	<a href="#">WMC Disciplinary Action Guide</a>
WA-O	--	
WV-M	X	<a href="#">W. Va. Code § 30-3-14</a> (j) Whenever it finds any person unqualified because of any of the grounds set forth in §30-3-14(c) of this code, the board may enter an order imposing one or more of the following: ... (2) Administer a public reprimand
WV-O	X	<a href="#">W. Va. Code R. § 24-6-4</a> 4.2 When the Board finds that any applicant is unqualified to be granted a license or finds that any licensee should be disciplined pursuant to the W. VA. Code... the Board may take any one or more of the following actions: ... 4.2.2 Administer a public reprimand
WI	X	<a href="#">Chapter SPS 8: Administrative Warnings</a> Before issuance of an administrative warning, a disciplinary authority shall make all of the following findings: (1) That there is specific evidence of misconduct by the credential holder. (3) That the misconduct is a minor violation of a statute or rule related to the profession or other conduct for which discipline may be imposed. (4) That issuance of an administrative warning will adequately protect the public.
WY	X	<a href="#">Wyo. Stat. Ann. § 33-26-405</a> (a) Following a hearing to refuse to renew or reinstate, revoke, restrict or suspend a license on the grounds set forth in W.S. 33-26-402(a), the board shall enter its order and findings pursuant to the Wyoming Administrative Procedure Act. The board may take one (1) or more of the following actions: ... (ii) Issue a public or private reprimand

*For informational purposes only: This document is not intended as a comprehensive statement of the law on this topic, nor to be relied upon as authoritative. Non-cited laws, regulation, and/or policy could impact analysis on a case-by-case or state-by-state basis. All information should be verified independently.*

*Questions, comments, or corrections? Please contact Andrew Smith ([asmith@fsmb.org](mailto:asmith@fsmb.org))*