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STATE OF DELAWARE
**BOARD OF MENTAL HEALTH AND CHEMICAL
DEPENDENCY PROFESSIONALS**

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IMPORTANT INFORMATION ABOUT YOUR MANDATORY DUTY TO REPORT

Introduction

As a Delaware-licensed healthcare provider, you have mandatory duties to report under Delaware law. The purpose of this information sheet is to explain the mandatory duties to report that apply to your profession.

To apply for a license or to renew a license with the Delaware Division of Professional Regulation, you will be required to certify that you understand each mandatory duty to report explained below. Note that, when appropriate, the Division may keep your identity confidential.

Mandatory Duty to Report Healthcare Practitioners

Delaware law *mandates* you to report **any healthcare provider**, including (but not limited to) any medical practitioner or practitioner licensed by the Board of Mental Health and Chemical Dependency Professionals, when you reasonably believe that the practitioner

- has engaged, or is engaging, in conduct that would constitute grounds of discipline under the healthcare provider's licensing statute, **or**
- may be unable to practice with reasonable skill and safety to the public due to mental illness or mental incompetence, physical illness (including deterioration through the aging process or loss of motor skill), or excessive abuse of drugs (including alcohol).

You must file your report, in writing, with the Division within 30 days of becoming aware of the information. For information on filing a report, go to the Division's website at www.dpr.delaware.gov and click *File a Complaint*.

The law imposes a \$10,000-\$50,000 fine for non-compliance. The law also allows the Division to keep your identity confidential and affords immunity from civil or criminal prosecution for good faith reporting.

The sections of Delaware law that explain your duties are [24 Del. C. §3018](#), [24 Del. C. §1730](#), [24 Del. C. §1731](#) and [24 Del. C. §1731A](#)

Mandatory Duty to Report Child Abuse

Delaware law also *mandates* you to make an immediate oral report to the Department of Services for Children, Youth and Their Families when you know of, or suspect, child abuse or neglect under Chapter 9 of Title 16 of the *Delaware Code* and to follow up with any requested written reports ([16 Del. C. §903](#)).

You may report child abuse or neglect by calling the Department's 24-hour child abuse and neglect hotline at (800) 292-9582. The Department will notify the Division of Professional Regulation of child abuse allegations.

Mandatory Duty to Self-Report

Delaware law also *mandates* you to *self report* when your license to practice in another jurisdiction has been disciplined, surrendered, suspended or revoked ([24 Del. C. §3009 \(a\)\(7\)](#)).