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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.

When applying for or renewing a license, 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 Medical Practitioners

Delaware law *mandates* you to report a medical practitioner *other than yourself* when you reasonably believe that the practitioner is (or may be) guilty of unprofessional conduct or unfit to practice ([24 Del. C. §1731A](#)). The term medical practitioner means anyone who is licensed by the Board of Medical Licensure and Discipline, including physicians, physician assistants, paramedics, respiratory practitioners, acupuncture practitioners, and genetic counselors. Unprofessional conduct is explained in [24 Del. C. §1731](#).

You must file your report with the Division of Professional Regulation within 30 days of becoming aware of the information. The law imposes a \$10,000-\$50,000 fine for non-compliance ([24 Del. C. 1731A \(i\)](#)). For information on filing a report, click [Report Healthcare Provider](#).

The law allows DPR to keep your identity confidential. It also affords immunity from civil or criminal prosecution for good faith reporting ([24 Del. C. 1731A \(g\)](#)).

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 DPR of child abuse allegations.

Mandatory Duty to Self Report

Delaware law also *mandates* you to *self report* all of the following within the time limits stated:

- Any change in hospital privileges and any disciplinary action taken by any medical society against you within 30 days ([24 Del. C. §1730\(b\)\(1\)](#))
- Any civil or criminal investigation in any jurisdiction which concerns your certification or license or other authorization to practice medicine within 30 days ([24 Del. C. §1730\(b\)\(2\)](#))
- All information concerning medical malpractice claims settled or adjudicated to final judgment, as provided in Chapter 68 of Title 18, within 60 days. ([24 Del. C. §1730 \(c\)](#))
- Each final judgment, settlement, or award against you regardless whether you have malpractice insurance, within 30 days of the final judgment, settlement, or award. ([24 Del. C. §1731A \(f\)](#))
- Any reports filed against you with the Department of Services for Children, Youth and Their Families under Chapter 9 of Title 16 concerning child abuse or neglect ([24 Del. C. §1730 \(d\)](#))
- Any reports filed against you to the Division of Long Term Care Residents Protection under Chapter 85 of Title 11 concerning adult abuse, neglect, mistreatment or financial exploitation ([24 Del. C. §1730 \(d\)](#))

File malpractice related reports on the [Physician Self-Report Form](#) available on the Division's website at www.dpr.delaware.gov – click *Medical Practice*, then *Forms*. For other types of self reports, submit a written statement to the Board office at the address above.