

§2505. Committee and other reports

Any professional competence committee within this State and any physician or physician assistant licensed to practice or otherwise lawfully practicing within this State shall, and any other person may, report the relevant facts to the appropriate board relating to the acts of any physician or physician assistant in this State if, in the opinion of the committee, physician, physician assistant or other person, the committee or individual has reasonable knowledge of acts of the physician or physician assistant amounting to gross or repeated medical malpractice, misuse of alcohol, drugs or other substances that may result in the physician's or the physician assistant's performing services in a manner that endangers the health or safety of patients, professional incompetence, unprofessional conduct or sexual misconduct identified by board rule. The failure of any such professional competence committee or any such physician or physician assistant to report as required is a civil violation for which a fine of not more than \$1,000 may be adjudged. [PL 2013, c. 355, §1 (AMD).]

Except for specific protocols developed by a board pursuant to Title 32, section 2596-A, 3298 or 18323, a physician or physician assistant, dentist or committee is not responsible for reporting misuse of alcohol, drugs or other substances or professional incompetence or malpractice as a result of physical or mental infirmity or by the misuse of alcohol, drugs or other substances discovered by the physician, physician assistant, dentist or committee as a result of participation or membership in a professional review committee or with respect to any information acquired concerning misuse of alcohol, drugs or other substances or professional incompetence or malpractice as a result of physical or mental infirmity or by the misuse of alcohol, drugs or other substances, as long as that information is reported to the professional review committee. This section does not prohibit an impaired physician, physician assistant or dentist from seeking alternative forms of treatment. [PL 2015, c. 429, §8 (AMD).]

The confidentiality of reports made to a board under this section is governed by this chapter. [PL 2011, c. 524, §8 (NEW).]

SECTION HISTORY

PL 1967, c. 183 (RPR). PL 1977, c. 492, §3 (NEW). PL 1985, c. 185, §2 (AMD). PL 1993, c. 600, §A18 (AMD). PL 1997, c. 107, §3 (AMD). PL 2003, c. 601, §1 (AMD). PL 2007, c. 380, §1 (AMD). PL 2011, c. 524, §8 (AMD). PL 2013, c. 105, §§2, 3 (AMD). PL 2013, c. 355, §§1, 2 (AMD). PL 2015, c. 429, §8 (AMD).

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