

CHAPTER 324
FORMERLY
HOUSE BILL NO. 458

AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO
REGISTRATION TO PRACTICE MEDICINE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 1720, Title 24 of the Delaware Code by creating new subsections (g) and (h) as follows:

“(g) An applicant for initial or renewal certification to practice medicine in this State must disclose whether the applicant has ever been the subject of an investigation by any licensing authority, medical association, hospital or other healthcare institution. The Board may require an applicant to provide sufficient documentation to enable the Board to determine whether investigation or a diagnostic mental or physical examination is necessary to determine the applicant’s qualifications for certification to practice medicine in this State. Any such investigation or diagnostic mental or physical examination shall be conducted pursuant to § 1732 of this title.

(h) All individuals licensed to practice medicine in this state shall be required to be fingerprinted by the State Bureau of Identification every ten years, at the licensee’s expense, for the purposes of performing subsequent criminal background checks. Licensees who received their initial license to practice medicine on or before July 1, 2007 shall submit by January 1, 2012, at the applicant's expense, fingerprints and other necessary information in order to obtain a criminal background check pursuant to Section 1720(b)(6) of this Title.”.

Section 2. Amend § 1720(b)(6), Title 24 of the Delaware Code by inserting the following at the end of the subsection after "subsection (e) of this section" and before the semicolon: "The State Bureau of Identification may release any subsequent criminal history to the Board.”.

Section 3. Amend § 1723, Title 24 of the Delaware Code by inserting new subsection (e) that reads as follows:

“(e) The Division shall review the criminal history of all individuals licensed to practice medicine on a periodic basis, at a minimum, once every six months.”.

Section 4. Amend § 1723(c), Title 24 of the Delaware Code by adding after "provided by the Division;" and before "proof that the certified," the following: "submission of the materials required by section 1720(b)(4), (b)(5), and (g), unless waived pursuant to subsection 1720(e);”.

Section 5. This act shall be effective on July 1, 2011.

Approved June 30, 2010