



August 23, 2023

## **Duty to Report**

Guam healthcare licensees have a lawful obligation to report certain occurrences to the Health Professional Licensing Office (HPLO) **two times a year (June and December)** and submit in a timely manner. Timely manner means; within **30 days** of receipt of occurrence.

Failure to make these reports can be grounds for disciplinary action against a licensee.

The following is a list of occurrences that must be reported to the board.

### **Updating License Records**

#### 1. Change of Contact Information

A licensee shall notify the board of any change in the home address, the address of the place of practice, home or practice telephone number, or personal e-mail address regularly used by the licensee for correspondence with the board, within one month of the change.

#### 2. Change of Name

A licensee shall notify the board of any name change within 30 days of making the name change. Licensees will need to submit a notarized or certified copy of a legal document such as a marriage license or divorce decree showing your new legal name. An unofficial copy will not be accepted.

#### 3. Supervision of a Physician Assistant

A licensee who supervises a physician assistant shall notify the board of the supervisory relationship at the time of the physician's license renewal.

### **Mandatory Reporting**

#### 1. Judgments or Settlements

Each licensee, including a licensee holding an inactive license, shall report to the board every adverse judgment and every settlement of a claim against the licensee in a malpractice action to which the licensee is a party. The report, together with a copy of the judgment or settlement, must be filed with the board within 30 days from the date of said judgment or settlement.



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## 2. Wrongful Acts or Omissions

A licensee shall file a report with the board when the licensee has knowledge that another licensee may have engaged in wrongful acts or omissions that are grounds for license revocation or suspension or that otherwise constitute negligence, careless acts or omissions that demonstrate a licensee's inability to practice medicine competently, safely, or within the bounds of medical ethics. The report shall be filed with the board no later than 30 days from the date the licensee acquires knowledge of the reportable conduct.

## 3. Disciplinary Action in Another Jurisdiction

Each licensee, including a licensee holding an inactive license, shall report to the board every license revocation, suspension, or terminations taken against the licensee by a professional licensing authority of another state, an agency of the United States government, or any country, territory or other jurisdiction. The report must be filed with the board within 30 days from the date of the action against the physician's license.

## 4. Child Abuse and Dependent Adult Abuse

Each licensee shall report child abuse and dependent adult abuse as required by state and federal law. Call Guam's Child and Dependent Adult Abuse Hotline 1-800-362-2178.

## 5. Reporting when a physician closes a practice or retires from practice:

A physician is required by law to notify the board of the location of patient records within 30 days after retiring or closing a practice.

## 6. Reporting malpractice settlements

A report of a malpractice settlement is required by law to be submitted within 30 days of the date of settlement; the report must be submitted by the physician or physician assistant.

## 7. Reporting incompetence, negligence, or other unprofessional or illegal conduct:

A licensee must report to the Board facts known to the licensee regarding incompetent or repeated negligent conduct, gross negligence, unprofessional conduct, sexual misconduct, or other illegal conduct by another licensee



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8. Reporting impaired professionals:

A physician who professionally treats another physician for alcoholism or drug addiction, or for mental, emotional, or personality disorders, must report it to the Board if there is probable cause that the person may constitute a danger to the health and welfare of that person's patients or the public if that person continues in practice. The report must state the name and address of the person and the condition found.

9. Reporting of hospital privileges actions:

- **Duty of licensee to report:** A licensee must report to the Board if the licensee's hospital privileges have been denied, revoked, suspended, or limited by a hospital or other health care facility for disciplinary reasons. *This does not apply to a temporary suspension pending completion of medical records.*
- **Duty of hospital to report:** A hospital that revokes, suspends, conditions, restricts, or refuses to grant hospital privileges to, or imposes a consultation requirement on, a physician must report it to the Board within seven (7) working days after the action is taken. A hospital must also report to the Board if a physician resigns hospital staff privileges while under investigation by the hospital or a committee of the hospital and the investigation could result in the revocation, suspension, conditioning, or restricting of, or the refusal to grant, hospital privileges, or in the imposition of a consultation requirement. A report is required regardless of whether the person voluntarily agrees to the action taken by the hospital. A report is not required if the sole reason for the action is the person's failure to complete hospital records in a timely manner or to attend staff or committee meetings.

10. Reporting disciplinary actions, licensing actions, criminal actions:

A licensee must report to the Board within 30 days of any disciplinary action against the licensee taken by another licensing jurisdiction, health care entity, or law enforcement agency. A licensee must report to the Board within 30 days of any conviction of a crime.

11. Reporting of Abuse and Neglect:

As a Health care professional, you are required by law to formally report confirmed and suspected child abuse and neglect, abuse of vulnerable adults, domestic violence or sexual assault.



## **Hospital disciplinary action or to avoid hospital disciplinary action**

Physicians shall file with the board a written report describing any disciplinary action taken by a hospital for reasons relating to the physician's professional competence or conduct which results in a limitation, restriction, suspension, revocation, relinquishment or nonrenewal of the licensee's hospital privileges or any voluntary limitation, restriction, suspension, revocation, relinquishment or nonrenewal of the licensee's hospital privileges to avoid an investigation or other hospital disciplinary action. A licensee is not required to report a limitation, restriction, suspension, revocation, relinquishment or nonrenewal of the licensee's privileges of fewer than 10 days. A licensee is not required to report a voluntary, non-disciplinary limitation or relinquishment of hospital privileges upon the election of the licensee to narrow or change the nature of the licensee's medical practice for reasons not related to competency or conduct. The written report and a copy of the hospital disciplinary action or the licensee's voluntary action must be filed with the board within 30 days of the date of the action.

### *Hospital disciplinary action (physicians who serve as chief of medical staff)*

A full and confidential report concerning any final hospital disciplinary action approved by a hospital board of trustees that results in a limitation, suspension, or revocation of a physician's privilege to practice for reasons relating to the physician's professional competence or professional conduct, or concerning any voluntary surrender or limitation of privileges for reasons relating to professional competence or professional conduct shall be made to the board by the hospital administrator or **chief of medical staff** within ten days of such action.

## **The following individuals, institutions and organizations are required by law to make reports to the Health Professional Licensing Office (HPLO):**

1. Board licensees and licensees of all health professional boards (including multistate licensees)
2. Health care facilities (hospitals, clinics, nursing homes, behavioral health)
3. The Guam Medical Association
4. The Guam Nurses Association
5. The Guam Medical Society
6. Primary insurers, self-insured, Health Maintenance Organizations
7. Guam Medical Society
8. Guam Pharmacists Association
9. Guam Psychological Association