

# Duty to Report

The State Medical Board of Ohio continues to grow and learn from the lessons of the past. As it reviews cases from the last 25 years, it has now been given the opportunity to strengthen its regulation and case protocol. As a high priority, the board is addressing the duty to report mandate with renewed vigor and has developed strategies to effectively educate licensees and further protect victims when violations of the Medical Practice Act occur.



State Medical Board of  
**Ohio**

## Licensure

**Ohio** eLicense Ohio  
Professional Licensure



### Application Update

From first-time applicant to retiring practitioner, the Medical Board has emphasized the importance of duty to report in the licensing process. On December 11, 2019, the board voted to add an attestation to every application and renewal as a reminder to licensees of their duty to report:

*Do you acknowledge your personal duty to report to the State Medical Board of Ohio when you believe that any individual licensed by the board has violated the board's laws or rules?*

*Violations include, but are not limited to, sexual misconduct, impairment, practice below the minimal standards of care, and improper prescribing of controlled substances.*

*Reports of misconduct to supervisors, law enforcement or health care system management do NOT fulfill your duty to report to the State Medical Board of Ohio; failure to report could result in formal disciplinary action.*

☐ Yes ☐ No

## DUTY TO REPORT

### Ohio Mandates

Ohio legislation and regulations strive to protect vulnerable populations through their duty to report mandates.

#### Statutes

ORC 4731.22(F)(5) – Confidential reporting

ORC 4731.224 – Reporting misconduct

ORC 2921.22 – Duty to report knowledge of a crime, gunshot, stab wound, or suspicious burn or injury

ORC 2151.421 – Duty to report child abuse or neglect

ORC 5101.63 – Duty to report abuse of an adult (elder abuse)

ORC 5123.61 – Duty to report abuse of the developmentally disabled

ORC 2907.03 – Duty to report sexual battery

#### Rules

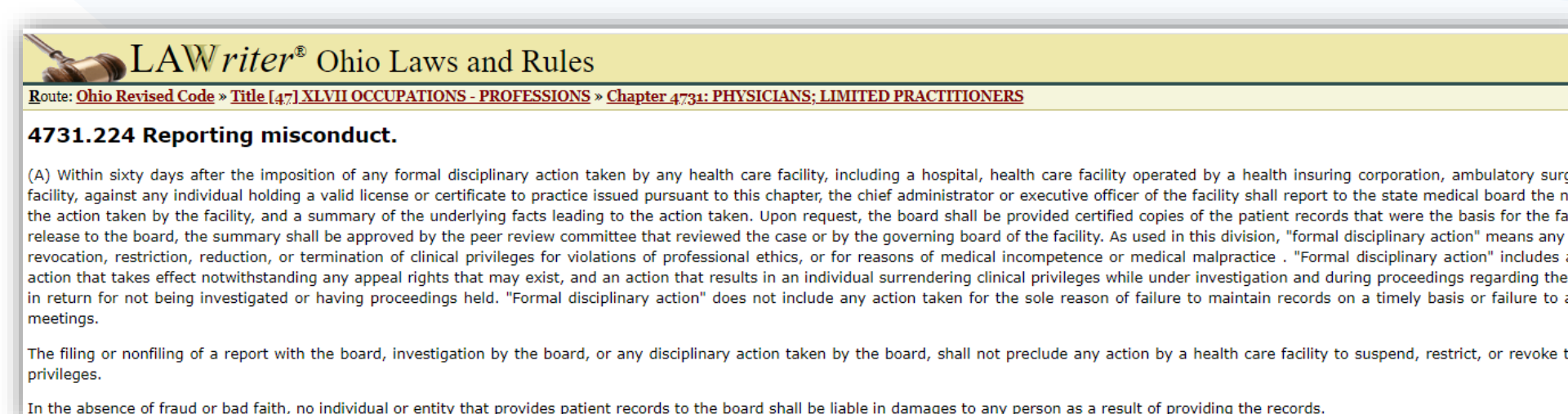
OAC 4731-15 – Reporting misconduct

OAC 4731-10 – Renewal and CME

#### CME

In a unanimous vote, the board decided to create a one-hour CME video course to provide its licensees with vital duty to report education. It will include interviews from sexual misconduct victims, information about the types of reportable offenses and guidance for proper reporting practices.

Licensees will be able to view the video in a learning management system and answer questions based on the content to receive CME credit.



## Education & Outreach

### Spreading the Word

Reporting violations to the Medical Board is an important responsibility for all Ohio-licensed practitioners. The board has developed a strategic education plan that includes physicians and podiatrists, medical students, allied health professionals, the medical community (hospitals, health care systems, etc.) and other health care boards.

To disseminate this important information, the board will employ a variety of tactics:

- **Presentations:** As part of outreach efforts, board staff will deliver tailored presentations to practitioners across the state, making sure they know their responsibility and the support system the board has in place. Duty to report slides also will be incorporated into any presentation delivered by board staff, regardless of the topic. This has already taken place with medical school presentations.
- **Posters:** Visual reminders are powerful tools to reinforce important messaging. The board will create and share posters with the imperative to report violations of the Medical Practice Act and the needed resources to contact the appropriate parties.

- **Promotional merchandise:** The board will create a succinct message with a hotline phone number to put on branded note pads and distribute the materials as needed to practitioners.

- **Video:** To improve the messaging efforts, the board plans to create an educational video as a resource to practitioners that can also be shared with other state health care boards in Ohio and customized to their licensees.

### Table-top Banner

Education & Outreach is often asked to staff a display table at medical conferences. Staff can bring along this table-top banner to display.



### Health News Ohio

Did you know we had a magazine? It is published quarterly for licensees and the medical community. Duty to report was featured in the [Winter 2020 issue](#).

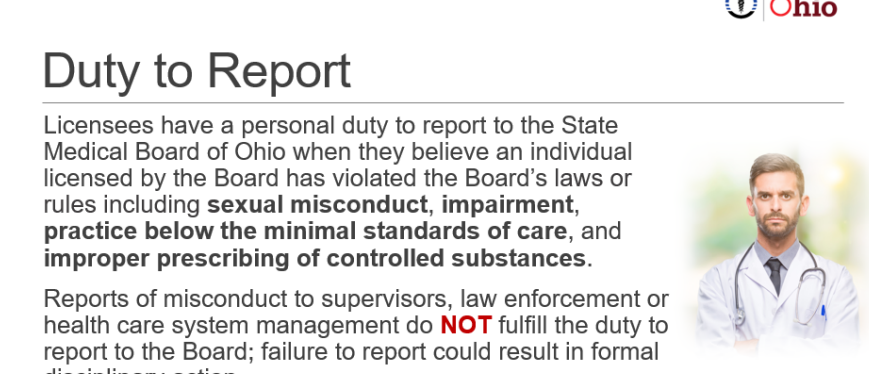


### SMBO Confidential Hotline

The board set up a confidential hotline as an alternative method of filing a complaint. It is open to licensees and the public.

Click Here to  
File a Complaint

or  
call the State Medical Board of Ohio's Confidential Complaint Hotline  
1-833-333-SMBO (7626)



### Presentations/Slides

A set of standard slides were created to include in every presentation given by board staff. An entire presentation on the subject of duty to report will also be created in the future.

### Sexual Boundaries Videos

The board has created a patient and licensee-facing video regarding sexual boundaries and how to report misconduct.



## Law & Regulation