

CHAPTER 321
FORMERLY
SENATE BILL NO. 298

AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE IMPOSITION OF FINES BY THE BOARD OF MEDICAL PRACTICE.

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

Section 1. Amend § 1713(a)(6), Title 24 of the Delaware Code by striking the number "\$5,000" and substituting in lieu thereof the number "\$50,000".

Section 2. Amend § 1731A(i), Title 24 of the Delaware Code by striking the subsection in its entirety and substituting in lieu thereof the following:

"(i) Pursuant to the authority conferred herein and by § 1713 of this title, the Board shall have the authority to impose a fine, not to exceed \$10,000 for the first violation, and not to exceed \$50,000 for any subsequent violation, on any person, any healthcare provider, any healthcare institution, and the Medical Society of Delaware for violation of any duty imposed by this chapter, and said fine shall be imposed pursuant to the procedures of this chapter."

Section 3. Amend § 1733(a)(1), Title 24 of the Delaware Code by inserting "or any other person with a duty imposed by this chapter" after "has been issued" and before the period concluding the sentence.

Section 4. Amend § 1733(c), Title 24 of the Delaware Code by striking "person to whom a certificate to practice medicine has been issued" and substituting in lieu thereof "respondent".

Section 5. Amend § 1733(d), Title 24 of the Delaware Code by striking "person to whom a certificate to practice medicine has been issued" and substituting in lieu thereof "respondent".

Section 6. Amend § 1734(a)(1), Title 24 of the Delaware Code by striking "alleged charges of unprofessional conduct or inability to practice medicine with reasonable skill or safety to patients" and substituting in lieu thereof "the alleged charges".

Section 7. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Act which can be given effect without the invalid provision or application; and, to that end, the provisions of this Act are declared to be severable.

Approved June 30, 2010