## Reporting Impaired, Incompetent, or Unethical Colleagues

The Board of Medical Practice often receives questions from physicians who want to know whether they must report impaired, incompetent, and/or unethical colleagues.

Opinion 9.031 of the American Medical Association's (AMA's) Code of Medical Ethics emphasizes that physicians have an ethical obligation to report such colleagues.

The AMA Opinion provides guidelines to follow regarding when and to whom reports would be made. According to the Opinion, incompetence that poses an immediate threat to the health and safety of patients should be reported directly to the Board of Medical Practice.

In an Opinion issued in 2004, *Agee v. Grunert,* the U.S. District Court of Vermont underscored the ethical obligation of physicians to report impairment of their colleagues. The Court concluded that a protective "conditional privilege" would apply to statements made for the safety of patients.

Please be assured that any complaint made to the Board of Medical Practice will be kept confidential.