

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1873 Session of
1993

INTRODUCED BY HECKLER, RITTER, PISTELLA, FREEMAN, DeWEESE,
HARLEY, L. I. COHEN, ITKIN, KUKOVICH, VEON, STETLER, RUDY,
FAJT, VANCE, STURLA, JOSEPHS, MUNDY, STEELMAN AND ROONEY,
JUNE 22, 1993

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 22, 1993

AN ACT

1 Requiring practitioners of the healing arts to disclose their
2 prenatal diagnosis policy to patients; imposing civil
3 penalties; and providing for private rights of action.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Practitioners of healing arts required to make
7 disclosures.

8 Any practitioner of the healing arts in this Commonwealth
9 shall, prior to the acceptance of a patient for gynecologic or
10 obstetric care, disclose to the patient, verbally and in
11 writing, when it is the policy of that practitioner to withhold
12 genetic counseling or screening, prenatal screening or prenatal
13 diagnostic exams or information as to the appropriateness or
14 availability of the services.

15 Section 2. Enforcement.

16 It shall be the duty of the appropriate licensing boards in
17 the Bureau of Professional and Occupational Affairs of the

1 Department of State to enforce the provisions of this act.

2 Section 3. Civil penalty.

3 A person who violates this act shall be liable to the
4 Commonwealth for a civil penalty of \$10,000.

5 Section 4. Private right of action.

6 A violation of this act shall create in the patient a private
7 right of action for damages, including extraordinary medical
8 expenses incurred and emotional distress inflicted as a result
9 of the nondisclosure.

10 Section 5. Effective date.

11 This act shall take effect in 60 days.