

ANATOMIC PATHOLOGY SERVICE DISCLOSURE ACT - ENACTMENT

Act of Nov. 23, 2010, P.L. 1344, No. 121

Cl. 35

AN ACT

Providing for anatomic pathology service disclosure.

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

Section 1. Short title.

This act shall be known and may be cited as the Anatomic Pathology Service Disclosure Act.

Section 2. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Anatomic pathology service." The term shall include:

(1) histopathology or surgical pathology, which means the gross and microscopic examination of organ tissue performed by a physician or under the supervision of a physician, including histologic processing;

(2) cytopathology, which means the microscopic examination of cells from the following:

(i) fluids;

(ii) aspirates;

(iii) washings;

(iv) brushings; or

(v) smears, including the Pap test examination performed by a physician or under the supervision of a physician;

(3) hematology, which means the microscopic evaluation of bone marrow aspirates and biopsies performed by a physician or under the supervision of a physician and peripheral blood smears when the attending or treating physician or technologist requests that a blood smear be reviewed by the pathologist;

(4) subcellular pathology and molecular pathology; or

(5) blood-banking services performed by pathologists.

The term does not include the initial collection or packaging of the specimen for transport.

"Health care provider." A person, corporation, facility or institution licensed or otherwise authorized by the Commonwealth to provide health care services, including, but not limited to, a physician, coordinated care organization, hospital, health care facility, dentist, nurse, optometrist, podiatrist, physical therapist, psychologist, chiropractor or pharmacist and an officer, employee or agent of the person acting in the course and scope of employment or agency related to health care services.

"Physician." An individual licensed under the laws of this Commonwealth to practice medicine and surgery within the scope of the act of October 5, 1978 (P.L.1109, No.261), known as the Osteopathic Medical Practice Act, or the act of December 20,

1985 (P.L.457, No.112), known as the Medical Practice Act of 1985.

Section 3. Disclosure requirement.

A physician, or any physician group practice, who orders but who does not supervise or perform a component of an anatomic pathology service shall disclose in a bill for the service presented to a patient, insurer or other third-party payor:

(1) The name and address of the health care provider or laboratory that provided the anatomic pathology service.

(2) The amount paid or to be paid for each anatomic pathology service provided to the patient by the health care provider or laboratory that performed the service.

Section 4. Penalties.

A violation of this act by a physician shall constitute grounds for disciplinary action to be taken by the applicable board under the applicable licensing statute.

Section 20. Effective date.

This act shall take effect in 60 days.