
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1233 Session of
2015

INTRODUCED BY QUINN, BAKER, BOBACK, COHEN, CORBIN, D. COSTA,
COX, DeLUCA, ENGLISH, EVERETT, FARRY, GILLEN, GROVE, HARPER,
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ROZZI, SABATINA, TALLMAN, TOEPEL, TOOHL AND WATSON,
MAY 18, 2015

REFERRED TO COMMITTEE ON HEALTH, MAY 18, 2015

AN ACT

1 Providing for summaries or copies of patient test results to be
2 sent directly to a patient or the patient's designee when
3 there is a finding of a significant abnormality; and
4 providing for duties of the Department of Health.

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

7 Section 1. Short title.

8 This act shall be known and may be cited as the Patient Test
9 Result Information Act.

10 Section 2. Definitions.

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

14 "Diagnostic imaging service." A medical imaging test
15 performed on a patient that is intended to diagnose the presence
16 or absence of a disease, including, but not limited to, a
17 malignancy.

1 "Diagnostic radiograph." A projectional radiograph that
2 acquires an image or digital image with x-rays to produce a high
3 contrast, two-dimensional image, otherwise known as an x-ray.

4 "Health care practitioner." As defined in section 103 of the
5 act of July 19, 1979 (P.L.130, No.48), known as the Health Care
6 Facilities Act.

7 "Significant abnormality." A finding by a diagnostic imaging
8 service of an abnormality or anomaly which would cause a
9 reasonably prudent person to seek additional or follow-up
10 medical care within three months.

11 Section 3. Test results.

12 (a) General rule.--An entity performing a diagnostic imaging
13 service shall directly notify the patient or the patient's
14 designee that the entity has completed a review of the test
15 performed on the patient and has sent results to the health care
16 practitioner who ordered the diagnostic imaging service when
17 there is a finding of a significant abnormality. The notice
18 shall include all of the following:

19 (1) The name of the ordering health care practitioner.

20 (2) The date the test was performed.

21 (3) The date the results were sent to the ordering
22 health care practitioner.

23 (4) The summary of the report, otherwise known as an
24 impression or conclusion, or the complete results of the
25 diagnostic imaging service provided to the ordering health
26 care practitioner.

27 (5) The following statements:

28 You are receiving this as a result of an abnormal finding
29 on your diagnostic imaging service.

30 The results of your test or tests have been sent to the

1 health care practitioner that ordered the tests. You are
2 always recommended to discuss all test results with your
3 health care practitioner.

4 (6) Any information deemed necessary by the entity to
5 help the patient or the patient's designee understand the
6 summary report or the results of the diagnostic imaging
7 service.

8 (b) Exceptions.--The following shall be exempted from the
9 requirements of subsection (a):

10 (1) Routine obstetrical ultrasounds used to monitor the
11 development of a fetus.

12 (2) Diagnostic imaging services performed on a patient
13 who is being treated on an inpatient basis.

14 (3) Diagnostic radiographs.

15 (c) Test results.--No sooner than seven days and no later
16 than 20 days after the date under subsection (a)(3), the entity
17 performing the diagnostic imaging service shall provide the
18 patient or patient's designee with the impression, conclusion or
19 report of the results of the diagnostic imaging service
20 performed on the patient.

21 (d) Method of transmittal.--

22 (1) The notice under subsection (a) and test results
23 under subsection (c) shall be provided in a manner deemed
24 acceptable by the patient or the patient's designee.

25 (2) A notice provided under subsection (a) shall be
26 presumed to comply with this act if:

27 (i) mailed in a properly addressed and stamped
28 letter through the United States Postal Service;

29 (ii) sent electronically by e-mail;

30 (iii) sent by automatic alert from an electronic

1 medical record system that the notice under subsection
2 (a) has been posted to the patient's electronic medical
3 record that is presently viewable; or
4 (iv) sent by facsimile.

5 Section 4. Duties of Department of Health.

6 The Department of Health shall:

7 (1) in accordance with law, conduct compliance reviews
8 as part of the inspection performed by the department or an
9 accrediting organization and investigate complaints filed
10 relating to the requirements of section 3; and

11 (2) establish a complaint procedure, which shall be made
12 available on the department's publicly accessible Internet
13 website.

14 Section 5. Applicability.

15 The duties imposed under this act on entities performing
16 diagnostic imaging and the Department of Health shall not
17 commence until sufficient funding has been made available to the
18 department for its duties under section 4 and the department has
19 published a notice to that effect in the Pennsylvania Bulletin.

20 Section 6. Existing professional obligation.

21 Nothing in this act shall be construed as relieving a health
22 care professional from complying with an existing professional
23 obligation to inform a patient of test results.

24 Section 7. Effective date.

25 This act shall take effect in 60 days.