
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2306 Session of 2000

INTRODUCED BY DeLUCA, BEBKO-JONES, BELFANTI, THOMAS, M. COHEN,
DeWEESE, GRUCELA, GEORGE, GIGLIOTTI, JOSEPHS, LAUGHLIN,
MARKOSEK, MELIO, ROONEY, SOLOBAY, TANGRETTI, TRELLO AND
WASHINGTON, FEBRUARY 28, 2000

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE,
FEBRUARY 28, 2000

AN ACT

1 Requiring physicians and health care workers to report
2 incompetent, negligent, unethical and illegal practices among
3 physicians; requiring insurance companies to report changes
4 in their policies regarding certain physicians to the State
5 Board of Medicine and the State Board of Osteopathic
6 Medicine; providing penalties for those physicians and health
7 care workers who fail to adhere to the act; and granting
8 immunity to any physician or health care worker who adheres
9 to the act.

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

12 Section 1. Short title.

13 This act shall be known and may be cited as the Medical Abuse
14 Reporting Act.

15 Section 2. Reports of abuse by physicians and health care
16 workers.

17 Any physician or health care worker who witnesses, either in
18 a hospital or other health care facility, incompetent,
19 negligent, unethical or illegal practices, according to
20 contemporary professional standards, by a physician or

1 physicians who work at that hospital or other health care
2 facility and which pose a threat to the health and safety of the
3 general public shall report these actions immediately to the
4 appropriate authority within the hospital or other health care
5 facility.

6 Section 3. Reports by insurance companies.

7 Companies that insure physicians in this Commonwealth shall
8 report to the State Board of Medicine and to the State Board of
9 Osteopathic Medicine any malpractice suit or claim brought
10 against a physician, along with the results of the suits or
11 claims, including settlements, adjustments, indemnity money paid
12 and acquittals, whichever applies to the specified case. The
13 insurance company shall also report when the company has decided
14 to drop a physician's policy or has decided not to renew a
15 physician's policy with the company.

16 Section 4. Civil penalty.

17 Failure by any physician or health care worker to adhere to
18 this act shall result in a civil penalty of not more than
19 \$1,000. Failure to adhere to this act by any insurance company
20 which insures physicians shall result in a civil penalty of not
21 more than \$10,000.

22 Section 5. Immunity for reporting abuse.

23 Any physician or health care worker who makes a good faith
24 and honest effort to adhere to this act shall be granted
25 immunity from prosecution by any person or party who has been
26 charged or found guilty under this act.

27 Section 6. Effective date.

28 This act shall take effect in 60 days.