

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL****No. 1642** Session of  
2013

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INTRODUCED BY QUINN, BAKER, BARRAR, BOBACK, BROOKS, BROWNLEE,  
CALTAGIRONE, CARROLL, DeLUCA, DENLINGER, EVERETT, FLECK,  
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MOUL, MUNDY, MURT, PASHINSKI, READSHAW, ROCK, ROZZI,  
SABATINA, STERN, SWANGER, TALLMAN, TOOHL, WATSON, YOUNGBLOOD  
AND KULA, AUGUST 23, 2013

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AS REPORTED FROM COMMITTEE ON HEALTH, HOUSE OF REPRESENTATIVES,  
AS AMENDED, OCTOBER 16, 2013

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## 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 test performed on a  
15 patient, including any of the following:

16 (1) Magnetic resonance imaging.

- 1 (2) Nuclear medicine.
- 2 (3) Angiography.
- 3 (4) Arteriography.
- 4 (5) Computerized axial tomography.
- 5 (6) Positron emission tomography.
- 6 (7) Digital vascular imaging.
- 7 (8) Bronchoscopy.
- 8 (9) Lymphangiography.
- 9 (10) Splenography.
- 10 (11) Ultrasound.
- 11 (12) EEG.
- 12 (13) EKG.
- 13 (14) Nerve conduction studies.
- 14 (15) Evoked potentials.

15 "HEALTH CARE PRACTITIONER." AS DEFINED IN SECTION 103 OF THE <--  
16 ACT OF JULY 19, 1979 (P.L.130, NO.48), KNOWN AS THE HEALTH CARE  
17 FACILITIES ACT.

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

22 Section 3. Test results.

23 (a) General rule.--An entity performing a diagnostic imaging  
24 service shall send by mail, directly to the patient or the  
25 patient's designee, a notice that the diagnostic imaging service  
26 has completed a review of the test performed on the patient and  
27 has sent results to the ~~physician~~ HEALTH CARE PRACTITIONER who <--  
28 ordered the diagnostic imaging service when there is a finding  
29 of a significant abnormality. The notice shall include all of  
30 the following:

1 (1) The name of the ordering ~~physician~~ HEALTH CARE <--  
2 PRACTITIONER.

3 (2) The date the test was performed.

4 (3) The date the results were sent to the ordering  
5 ~~physician~~ HEALTH CARE PRACTITIONER. <--

6 (4) The summary of the report, otherwise known as an  
7 impression or conclusion, or the complete results of the  
8 diagnostic imaging service provided to the ordering  
9 ~~physician~~ HEALTH CARE PRACTITIONER. <--

10 (5) ANY INFORMATION DEEMED NECESSARY BY THE ENTITY TO  
11 HELP THE PATIENT OR THE PATIENT'S DESIGNEE UNDERSTAND THE  
12 SUMMARY REPORT OR THE RESULTS OF THE DIAGNOSTIC IMAGING  
13 SERVICE.

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

16 (1) Routine obstetrical ultrasounds used to monitor the  
17 development of a fetus.

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

20 (c) Test results.--No sooner than seven days and no later  
21 than 20 days after the date under subsection (a) (3), the  
22 diagnostic imaging service shall provide the patient with the  
23 impression, conclusion or report of the results of the  
24 diagnostic imaging service performed on the patient.

25 (d) Method of transmittal.--The notice under subsection (a)  
26 and test results under subsection (c) may be provided  
27 electronically by e-mail or facsimile if such communication is  
28 deemed acceptable by the patient or the patient's designee.  
29 Section 4. Duties of Department of Health.

30 ~~The Department of Health shall, in accordance with law,~~ <--

1 ~~conduct compliance reviews and investigate complaints filed~~  
2 ~~relating to the requirements of section 3.~~

3 THE DEPARTMENT OF HEALTH SHALL: <--

4 (1) IN ACCORDANCE WITH LAW, CONDUCT COMPLIANCE REVIEWS  
5 AS PART OF THE ANNUAL INSPECTION PERFORMED BY THE DEPARTMENT  
6 AND INVESTIGATE COMPLAINTS FILED RELATING TO THE REQUIREMENTS  
7 OF SECTION 3; AND

8 (2) ESTABLISH A COMPLAINT PROCEDURE, WHICH SHALL BE MADE  
9 AVAILABLE ON THE DEPARTMENT'S PUBLICLY ACCESSIBLE INTERNET  
10 WEBSITE.

11 Section 5. Applicability.

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

17 Section 6. Existing professional obligation.

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

21 Section 7. Effective date.

22 This act shall take effect in 60 days.