

## 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,  
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SABATINA, STERN, SWANGER, TALLMAN, TOOHL, WATSON,  
YOUNGBLOOD, KULA, ENGLISH AND DONATUCCI, AUGUST 23, 2013

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AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,  
MARCH 19, 2014

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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 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

1 malignancy.

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

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

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

12 Section 3. Test results.

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

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

21 (2) The date the test was performed.

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

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

28 (5) The following statements:

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

1 The results of your test or tests have been sent to the  
2 health care practitioner that ordered the tests. You are  
3 always recommended to discuss all test results with your  
4 health care practitioner.

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

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

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

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

15 (3) Diagnostic radiographs.

16 (c) Test results.--No sooner than seven days and no later  
17 than 20 days after the date under subsection (a) (3), the ENTITY <--  
18 PERFORMING THE diagnostic imaging service shall provide the  
19 patient OR PATIENT'S DESIGNEE with the impression, conclusion or <--  
20 report of the results of the diagnostic imaging service  
21 performed on the patient.

22 (d) Method of transmittal.--The following apply:

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

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

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

30 (ii) sent electronically by e-mail;

1 (iii) sent by automatic alert from an electronic  
2 medical record system that the notice under subsection  
3 (a) has been posted to the patient's electronic medical  
4 record that is presently viewable; or

5 (iv) sent by facsimile.

6 Section 4. Duties of Department of Health.

7 The Department of Health shall:

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

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

15 Section 5. Applicability.

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

21 Section 6. Existing professional obligation.

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

25 Section 7. Effective date.

26 This act shall take effect in 60 days.