
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1884 Session of
2017

INTRODUCED BY M. QUINN, TOEPEL, HICKERNELL, WATSON, MILLARD,
PICKETT, PHILLIPS-HILL, GILLEN, SCHWEYER, DeLUCA, BAKER,
BOBACK, EVERETT, O'NEILL, KAUFER, GROVE, KORTZ, ENGLISH,
HARPER AND TALLMAN, OCTOBER 25, 2017

REFERRED TO COMMITTEE ON HEALTH, OCTOBER 25, 2017

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.

18 "Diagnostic radiograph." A projectional radiograph that

1 acquires an image or digital image with x-rays to produce a high
2 contrast, two-dimensional image, otherwise known as an x-ray.

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

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

10 Section 3. Test results.

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

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

19 (2) The date the test was performed.

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

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

26 (5) The following statements:

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

29 The complete results of your test or tests have been sent
30 to the health care practitioner that ordered the test or

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

3 (6) Any information deemed necessary by the entity to
4 help the patient or the patient's designee understand the
5 information provided under paragraph (4).

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

8 (1) Routine obstetrical ultrasounds used to monitor the
9 development of a fetus.

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

12 (3) Diagnostic radiographs.

13 (c) Time.--Except as provided under subsection (d) (2) (v), no
14 sooner than 7 days and no later than 20 days after the date the
15 results were sent to the ordering health care practitioner as
16 provided under subsection (a) (3), the entity performing the
17 diagnostic imaging service shall provide the patient or
18 patient's designee with the notice under subsection (a).

19 (d) Method of transmittal.--

20 (1) The notice under subsection (a) shall be provided in
21 a manner deemed acceptable by the patient or the patient's
22 designee.

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

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

27 (ii) sent electronically by e-mail;

28 (iii) sent by automatic alert from an electronic
29 medical record system that the notice under subsection

30 (a) has been posted to the patient's electronic medical

1 record that is presently viewable;
2 (iv) sent by facsimile; or
3 (v) provided directly to the patient at the time of
4 service, so long as the patient acknowledges the receipt
5 of the results and signs the patient's medical record
6 accordingly.

7 (e) Construction.--Nothing under this act shall be construed
8 to require an entity to provide a patient or patient's designee
9 the notice under subsection (a) if the results are provided to
10 the patient or patient's designee by the health care
11 practitioner at the time of the test.

12 Section 4. Duties of Department of Health.

13 The Department of Health shall:

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

18 (2) establish a complaint procedure, which shall be made
19 available on the department's publicly accessible Internet
20 website.

21 Section 5. Existing professional obligation.

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

25 Section 6. Effective date.

26 This act shall take effect in 60 days.