

The Patient Test Results Information Act
Act 112-2018
Clarifying Guidance

The Patient Test Results Information Act, Act 112-2018 (Act 112), was signed into law by Governor Wolf and became effective December 23, 2018. Act 112 requires that when, in the judgment of the entity performing the diagnostic imaging service, a significant abnormality may exist, the entity performing the diagnostic imaging service shall directly notify the patient or the patient's designee by providing notice that the entity has completed a review of the test performed on the patient and has sent results to the health care practitioner who ordered the diagnostic imaging service. The Department of Health (Department) announced in December 2018 that enforcement of Act 112 would be stayed for one year and citations for noncompliance with Act 112 would not be issued until December 23, 2019.

The Department received many questions regarding the implementation of Act 112 and concerns about its impact on providers. The Department is providing additional instructions about Act 112 implementation. To determine compliance with this Act, the Department will require licensed facilities to establish a policy addressing Act 112 requirements. The policy must include:

- How and when patients will be notified if a significant abnormality is identified on a diagnostic test;
- What information must be provided in the notification; and
- What services the facility offers that fall within the Act's definition of "diagnostic imaging services."

Additionally, the Department will review a licensed facility's policies to verify that a patient's notification from the facility will include:

- The name of the ordering health care practitioner;
- The date the test was performed; and
- The date the results were sent to the ordering health care practitioner.

When determining whether a facility has implemented the requirements of Act 112, the Department will confirm that such a policy has been established and the Department will review whether the policy contains the above-mentioned criteria. Please note, the Department does not have the authority to ensure compliance with Act 112 in facilities that are not required to be licensed under the Health Care Facilities Act. Act 112-related complaints received by the Department about a health care facility that is not licensed by the Department will be referred to the Department of State.

If there are any questions, please address them to the Deputy Secretary of Quality Assurance.