



The Hospital + Healthsystem
Association of Pennsylvania

Leading for Better Health

January 18, 2022

TO: Madam Chair Brooks, Chairman Haywood, and Members of the Senate Health and Human Services Committee

FROM: Heather Tyler, Vice President, State Legislative Advocacy

SUBJECT: House Bill 1280, Amending the Patient Test Result Information Act

On behalf of more than 240 members statewide, The Hospital and Healthsystem Association of Pennsylvania (HAP) expresses its support of HB 1280, sponsored by Representative Barry Jozwiak (R-Berks). This bill, which passed the House and has been referred to the Senate Health and Human Services Committee, amends Act 112 of 2018, which requires diagnostic imaging services to directly notify patients if test results indicate "significant abnormalities."

It became evident soon after implementation that the law needed clarification. HAP has consistently been supportive of efforts continuing to protect patients' health and safety while making Act 112 of 2018 more meaningful.

The primary benefit of the law is increased, timely communication with patients. We believe that House Bill 1280 improves existing language and will achieve better outcomes by:

- removing ambiguous language related to "significant abnormality"
- providing written notice to the patient at the time that service is provided

HAP supports removal of "significant abnormality" language.

In practice, the provider of a diagnostic imaging service often does not know the patient and, thus, may not necessarily be able to interpret accurately a "significant abnormality" on a case-by-case basis. That determination is best made by the patient's medical provider, who ordered the test in the context of the patient's overall medical condition. What may be a "significant abnormality" in one patient may not, in fact, reflect any clinical change or concern in another.

Without such context, many imaging service providers have understandably established a low threshold to initiate the "significant findings" process. This can unintentionally cause needless anxiety to patients and their families when they receive a letter that suggests disturbing test results. In addition to fear and stress, such communication can also lead patients to seek additional, unnecessary, time-consuming, and expensive follow-up tests.

HAP also supports that written notice be provided to patients *at the time of service*.

Patients should clearly be notified that the diagnostic service provider will review and send results to the medical expert who ordered the test. Patients should be directed to call their doctor if they have not reviewed test results in their electronic health record or heard from the ordering expert's office within 21 days. Providing this information at the time of service ensures that such notice is timely received by the patient and is not delayed by administrative, mailing, or other potential issues.

On behalf of Pennsylvania hospitals, we respectfully ask that you please include House Bill 1280 on the committee calendar and vote yes.