

No. 1988-66

AN ACT

SB 803

Providing for certain disclosures by practitioners of the healing arts when making patient referrals; providing penalties; and conferring powers and duties on the several licensing boards in the Bureau of Professional and Occupational Affairs.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

“Bureau.” The Bureau of Professional and Occupational Affairs in the Department of State.

“Practitioner of the healing arts.” Any person who engages in the diagnosis or treatment of disease or any ailment of the human body.

Section 2. Disclosure of interest in referral facilities.

(a) General rule.—Any practitioner of the healing arts shall, prior to referral of a patient to any facility or entity engaged in providing health-related services, tests, pharmaceuticals, appliances or devices, disclose to the patient any financial interest of the practitioner or ownership by the practitioner in the facility or entity. In making any referral, the practitioner of the healing arts may render any recommendations he considers appropriate, but shall advise the patient of his freedom of choice in the selection of a facility or entity.

(b) Penalty.—A person who violates this section shall be liable to the Commonwealth for a civil penalty not to exceed \$1,000.

(c) Enforcement.—The licensing boards in the bureau shall enforce this section.

Section 3. Notice.

The licensing boards in the bureau shall notify licensees of the provisions of this act by publication of a notice in the Pennsylvania Bulletin.

Section 4. Effective date.

This act shall take effect as follows:

- (1) Section 3 and this section shall take effect immediately.
- (2) The remainder of this act shall take effect in 60 days.

APPROVED—The 26th day of May, A. D. 1988.

ROBERT P. CASEY