

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1145 Session of
2026

INTRODUCED BY BROOKS, PENNYCUICK, STEFANO AND DUSH,
JANUARY 20, 2026

REFERRED TO HEALTH AND HUMAN SERVICES, JANUARY 20, 2026

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, establishing the Compliance Review and
3 Reporting Program; imposing duties on the Department of
4 Health and the Department of Human Services; and imposing
5 penalties.

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

8 Section 1. Part III of Title 35 of the Pennsylvania
9 Consolidated Statutes is amended by adding a chapter to read:

10 CHAPTER 41

11 COMPLIANCE REVIEW AND REPORTING PROGRAM

12 Sec.

13 4101. Scope of chapter.

14 4102. Definitions.

15 4103. Establishment and purposes of program.

16 4104. Administration of program.

17 4105. Compliance review.

18 4106. Noncompliance.

19 § 4101. Scope of chapter.

This chapter relates to compliance review and reporting involving certain facilities and sexual abuse or exploitation.
§ 4102. Definitions.

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

"Child." An individual under 18 years of age.

"Department." The Department of Health of the Commonwealth.

"Facility." A hospital, health care facility or other facility licensed or inspected by the department and providing medical care to children.

"Program." The Compliance Review and Reporting Program established under section 4103 (relating to establishment and purposes of program).

"Sexual abuse or exploitation." As defined under 23 Pa.C.S. § 6303(a) (relating to definitions).

§ 4103. Establishment and purposes of program.

The Compliance Review and Reporting Program is established in the department to:

(1) Monitor the reporting of suspected sexual abuse or exploitation.

(2) Promote the health and safety of children.

(3) Facilitate the prosecution of persons willfully failing to report sexual abuse or exploitation.

§ 4104. Administration of program.

The department shall administer the program.

§ 4105. Compliance review.

(a) Review of records.--

(1) Under the program, the department shall, during an inspection of a facility, conduct a compliance review

1 consisting of a review of all relevant health records that:

2 (i) were created since the immediately prior
3 inspection;

4 (ii) pertain to the care of children at the
5 facility; and

6 (iii) have not been previously reviewed.

7 (2) The purpose of the compliance review under
8 subsection (a) is to determine whether the required reports
9 of suspected sexual abuse or exploitation were made in
10 accordance with 23 Pa.C.S. Ch. 63 (relating to child
11 protective services).

12 (b) Report made regarding suspected sexual abuse or
13 exploitation.--

14 (1) If a compliance review for a facility reveals that a
15 report of suspected sexual abuse or exploitation was made in
16 accordance with 23 Pa.C.S. Ch. 63, the facility shall produce
17 confirmation of the report in accordance with 23 Pa.C.S. §
18 6305 (relating to electronic reporting).

19 (2) With respect to a confirmation under paragraph (1),
20 the department shall verify the existence and validity of the
21 confirmation and whether the confirmation corresponds to the
22 relevant patient encounter.

23 (3) The Department of Human Services shall:

24 (i) Cooperate with the department in the
25 verification process under paragraph (2).

26 (ii) Upon request, confirm whether a report exists
27 that corresponds to the submitted confirmation under 23
28 Pa.C.S. § 6305, including the relevant incident, date and
29 patient.

30 (4) The Department of Human Services shall develop a

secure protocol to facilitate timely confirmation of reports under this subsection for the sole purpose of enabling the department to comply with the provisions of this subsection.

(5) Any disclosure of information under this subsection shall be limited to confirmation of reporting compliance under this subsection and may not include investigative or identifying details beyond the information that is necessary to complete the verification process.

(c) Report not made regarding suspected sexual abuse or exploitation.--If a compliance review for a facility reveals that a report of suspected sexual abuse or exploitation was not made in accordance with 23 Pa.C.S. Ch. 63, the department shall:

(1) Make a report of suspected sexual abuse or exploitation in accordance with 23 Pa.C.S. Ch. 63 or otherwise notify child protective services or a law enforcement agency of the suspected sexual abuse or exploitation.

(2) Record the name of any mandated reporter who knew or reasonably should have known of the circumstances requiring the reporting of suspected sexual abuse or exploitation but who did not file a report of suspected sexual abuse or exploitation.

(d) Posting of information.--The department shall post on its publicly accessible Internet website a report identifying the names of each facility identified in a compliance review that failed to file a required report of suspected sexual abuse or exploitation in accordance with 23 Pa.C.S. Ch. 63. The report shall not include the name or other personally identifying information of any mandated reporter or alleged victim of sexual abuse or exploitation.

1 § 4106. Noncompliance.

2 (a) Civil action and referral.--If a compliance review of a
3 facility under this chapter reveals that a required report of
4 suspected sexual abuse or exploitation was not made in
5 accordance with 23 Pa.C.S. Ch. 63 (relating to child protective
6 services):

7 (1) The parent or guardian of the alleged victim may
8 institute an appropriate civil action for damages against the
9 facility.

10 (2) The department shall refer the name of any mandated
11 reporter and facility in violation of 23 Pa.C.S. Ch. 63 to
12 the following for investigation or prosecution as provided by
13 law:

14 (i) The Pennsylvania State Police.

15 (ii) The appropriate medical or professional
16 licensing board.

17 (iii) The district attorney of the county in which
18 the mandated reported or facility is located.

19 (iv) As appropriate, the Office of Attorney General.

20 (b) Civil penalty.--

21 (1) If, during a compliance review of a facility under
22 this chapter, the facility willfully fails to provide the
23 necessary records to the department or willfully conceals,
24 alters or otherwise obstructs access to the necessary records
25 that are relevant to the determination by the department of
26 the facility's compliance with the provisions of this
27 chapter, the facility shall be subject to a civil penalty not
28 exceeding \$2,500 for each day that the records are not
29 provided or are concealed or altered or that access is
30 obstructed.

1 (2) Civil penalties collected under paragraph (1) shall
2 be deposited into the Safe Harbor for Sexually Exploited
3 Children Fund.

4 (c) Reimbursements.--If three or more separate compliance
5 reviews of a facility under this chapter reveal that the
6 facility failed to file a required report of suspected sexual
7 abuse or exploitation in accordance with 23 Pa.C.S. Ch. 63, the
8 Department of Human Services shall withhold reimbursement for
9 all or part of the activities of the facility that fall within
10 the scope of State-funded health care services until compliance
11 with the mandatory reporting requirements is demonstrated.

12 (d) Inspector.--If the inspector from the department who is
13 conducting the compliance review under this chapter willfully
14 does not comply with section 4105(c)(1) (relating to compliance
15 review), the inspector shall be guilty of a misdemeanor of the
16 third degree.

17 Section 2. This act shall apply to inspections of facilities
18 that are commenced on and after the effective date of this
19 section.

20 Section 3. This act shall take effect in 30 days.