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## **The Health Care Quality Improvement Act on 1986: A Legislative History of Pub. L. 99-660**

*By: Bernard D. Reams, Jr.*

Prior to 1986, a doctor disciplined by the state licensing boards, hospitals or medical societies was often able to resume the practice of medicine by voluntary resignation in return for the hospital's silence regarding the sanction, or by the threat of litigation if the hospital attempted to impose sanctions or a colleague attempted to report malfeasance.

In order to encourage more stringent peer review by doctors and hospitals, and to protect reporting physicians and institutions from retaliatory lawsuits, Congress enacted S. 1774, Title IV, The Health Care Quality Improvement Act of 1986. The Act was also intended to address the increasing incidence of medical malpractice and to prevent the ease with which incompetent practitioners moved from state to state without their prior sanctions being disclosed.

Congress established a reporting system that requires state licensing boards to report disciplinary action to the Secretary of Health and Human Services for collection and

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