

**(4) Facility**

The term “facility” means all buildings, equipment, structures, and other stationary items which are located on a single site or on contiguous or adjacent sites and which are owned or operated by the same person (or by any person which controls, is controlled by, or under common control with, such person). For purposes of section 11004 of this title, the term includes motor vehicles, rolling stock, and aircraft.

**(5) Hazardous chemical**

The term “hazardous chemical” has the meaning given such term by section 11021(e) of this title.

**(6) Material safety data sheet**

The term “material safety data sheet” means the sheet required to be developed under section 1910.1200(g) of title 29 of the Code of Federal Regulations, as that section may be amended from time to time.

**(7) Person**

The term “person” means any individual, trust, firm, joint stock company, corporation (including a government corporation), partnership, association, State, municipality, commission, political subdivision of a State, or interstate body.

**(8) Release**

The term “release” means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles) of any hazardous chemical, extremely hazardous substance, or toxic chemical.

**(9) State**

The term “State” means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, the Northern Mariana Islands, and any other territory or possession over which the United States has jurisdiction.

**(10) Toxic chemical**

The term “toxic chemical” means a substance on the list described in section 11023(c) of this title.

(Pub. L. 99-499, title III, §329, Oct. 17, 1986, 100 Stat. 1757.)

**§ 11050. Authorization of appropriations**

There are authorized to be appropriated for fiscal years beginning after September 30, 1986, such sums as may be necessary to carry out this chapter.

(Pub. L. 99-499, title III, §330, Oct. 17, 1986, 100 Stat. 1758.)

**CHAPTER 117—ENCOURAGING GOOD FAITH PROFESSIONAL REVIEW ACTIVITIES**

Sec.

11101. Findings.

Sec.

**SUBCHAPTER I—PROMOTION OF PROFESSIONAL REVIEW ACTIVITIES**

- 11111. Professional review.
- 11112. Standards for professional review actions.
- 11113. Payment of reasonable attorneys' fees and costs in defense of suit.
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**SUBCHAPTER II—REPORTING OF INFORMATION**

- 11131. Requiring reports on medical malpractice payments.
- 11132. Reporting of sanctions taken by Boards of Medical Examiners.
- 11133. Reporting of certain professional review actions taken by health care entities.
- 11134. Form of reporting.
- 11135. Duty of hospitals to obtain information.
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- 11137. Miscellaneous provisions.

**SUBCHAPTER III—DEFINITIONS AND REPORTS**

- 11151. Definitions.
- 11152. Reports and memoranda of understanding.

**§ 11101. Findings**

The Congress finds the following:

(1) The increasing occurrence of medical malpractice and the need to improve the quality of medical care have become nationwide problems that warrant greater efforts than those that can be undertaken by any individual State.

(2) There is a national need to restrict the ability of incompetent physicians to move from State to State without disclosure or discovery of the physician's previous damaging or incompetent performance.

(3) This nationwide problem can be remedied through effective professional peer review.

(4) The threat of private money damage liability under Federal laws, including treble damage liability under Federal antitrust law, unreasonably discourages physicians from participating in effective professional peer review.

(5) There is an overriding national need to provide incentive and protection for physicians engaging in effective professional peer review.

(Pub. L. 99-660, title IV, §402, Nov. 14, 1986, 100 Stat. 3784.)

**SHORT TITLE**

Pub. L. 99-660, title IV, §401, Nov. 14, 1986, 100 Stat. 3784, provided that: “This title [enacting this chapter and provisions set out as a note under section 11111 of this title] may be cited as the ‘Health Care Quality Improvement Act of 1986’.”

**SUBCHAPTER I—PROMOTION OF PROFESSIONAL REVIEW ACTIVITIES****§ 11111. Professional review****(a) In general****(1) Limitation on damages for professional review actions**

If a professional review action (as defined in section 11151(9) of this title) of a professional review body meets all the standards specified in section 11112(a) of this title, except as provided in subsection (b) of this section—