AN ACT

Providing for the Office of Health Equity; establishing the Office of Health Equity Advisory Committee; and imposing duties on the Department of Health.

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

Section 1. Short title.

This act shall be known and may be cited as the Office of Health Equity Act.

Section 2. 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:

"Advisory committee." The Office of Health Equity Advisory Committee established under section 5(a).

"Commonwealth agency." As follows:

(1) Any of the following:

(i) The Governor's Office.

(ii) An executive agency.
(iii) The office of Lieutenant Governor.
(iv) An independent agency.
(v) An independent department.
(vi) An organization established by the Constitution of Pennsylvania, a statute or an executive order that performs or is intended to perform an essential governmental function.

(2) The term does not include:

(i) The General Assembly or an office or agency of the General Assembly.
(ii) A court or other agency of the unified judicial system.

"Department." The Department of Health of the Commonwealth.
"Executive agency." As follows:

(1) An office, department, authority, board, multistate agency or commission of the executive branch of the Commonwealth that is subject to the policy supervision and control of the Governor.

(2) The term includes:

(i) The Department of Aging.
(ii) The Department of Agriculture.
(iii) The Department of Banking and Securities.
(iv) The Department of Community and Economic Development.
(v) The Department of Conservation and Natural Resources.
(vi) The Department of Corrections.
(vii) The Department of Drug and Alcohol Programs.
(viii) The Department of Education.
(ix) The Department of Environmental Protection.
The Department of General Services.
(xi) The Department of Health.
(xii) The Department of Human Services.
(xiii) The Department of Labor and Industry.
(xiv) The Department of Military and Veterans Affairs.
(xv) The Department of Revenue.
(xvi) The Department of State.
(xvii) The Department of Transportation.
(xviii) The Insurance Department.
(xix) The Pennsylvania State Police.
(xx) A board or commission of an entity enumerated under this paragraph.

"Health disparities." Preventable differences in the burden of disease, injury, violence or opportunities to achieve optimal health that are experienced by a population in comparison to another population.

"Health equity." The absence of unfair and avoidable or remediable differences in health among population groups, whether those population groups are defined socially, economically, demographically or geographically.

"Independent agency." As follows:

(1) A board, commission, authority, agency or other entity of the Commonwealth that is not subject to the policy supervision and control of the Governor.

(2) The term includes:

(i) The Board of Claims.

(ii) The Pennsylvania Historical and Museum Commission.

(iii) The Milk Marketing Board.
(v) The Pennsylvania Fish and Boat Commission.
(vi) The Pennsylvania Game Commission.
(xix) The Pennsylvania Labor Relations Board.
(x) The Pennsylvania Liquor Control Board.
(xii) The Pennsylvania Turnpike Commission.
(xiii) The State Civil Service Commission.
(xiv) The State Ethics Commission.
(xv) The State Tax Equalization Board.
(xvi) An entity subject to the policy supervision and control of an entity enumerated under this paragraph.

(3) The term does not include:
(i) The General Assembly or an office or agency of the General Assembly.
(ii) A court or other agency of the unified judicial system.

"Independent department." Any of the following:
(1) The Department of the Auditor General.
(2) The Treasury Department.
(3) The Office of Attorney General.
(4) A board or commission of an entity under paragraph (1), (2) or (3).

"Municipality." As defined in 53 Pa.C.S. § 5602 (relating to definitions).

"Office." The Office of Health Equity established under section 3(a).
"Personal identifying information." A document, photographic, pictorial or computer image of an individual or fact used to establish identity, including a name, birth date, Social Security number, driver's license number, non-driver governmental identification number, telephone number, checking account number, savings account number, student identification number, employee or payroll number, residence address, mailing address, email address or electronic signature.

"Private school." Any of the following:

(1) A private school licensed under the act of January 28, 1988 (P.L.24, No.11), known as the Private Academic Schools Act.

(2) A private school accredited by an accrediting association approved by the State Board of Education.

(3) A private school licensed under the act of December 15, 1986 (P.L.1585, No.174), known as the Private Licensed Schools Act.

"Public entity." As follows:

(1) Any of the following:

   (i) A Commonwealth agency.

   (ii) A municipality.

   (iii) A school entity.

(2) The term includes a contractor or subcontractor of an entity specified in paragraph (1) that has entered into a contract, purchase order or other procurement arrangement with the entity and has received, is to receive or is receiving public funds from the Commonwealth under the contract, purchase order or other procurement arrangement.

"School entity." Any of the following:

(1) A school district of any class.
(2) A public school as defined in 24 Pa.C.S. § 8102 (relating to definitions).

(3) A nonpublic school as defined in section 923.3-A(b) of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949.

(4) A private school.

(5) An intermediate unit as described in Article IX-A of the Public School Code of 1949.

(6) A charter school as defined in section 1703-A of the Public School Code of 1949.

(7) A cyber charter school as defined in section 1703-A of the Public School Code of 1949.

(8) A regional charter school as defined in section 1703-A of the Public School Code.

(9) An area career and technical school as described in section 1841 of the Public School Code of 1949.

(10) An institution of higher education, including the following:

(i) A university within the State System of Higher Education under Article XX-A of the Public School Code of 1949.

(ii) The Pennsylvania State University, the University of Pittsburgh, Temple University, Lincoln University or any other institution designated as State-related by the Commonwealth.

(iii) The Thaddeus Stevens College of Technology.


(v) A college established under Article XIX-G of the Public School Code of 1949.
An institution of higher education located in
and incorporated or chartered by the Commonwealth and
entitled to confer degrees as specified in 24 Pa.C.S. §
6505 (relating to power to confer degrees) and as
provided for by the standards and qualifications
prescribed by the State Board of Education under 24
Pa.C.S. Ch. 65 (relating to private colleges,
universities and seminaries).

(vii) A foreign corporation approved to operate an
educational enterprise under 22 Pa. Code Ch. 36 (relating
to foreign corporation standards).

"Secretary." The Secretary of Health of the Commonwealth.

"Social determinants of health." Nonmedical factors that
affect both the average and distribution of health within
populations, including distal determinants such as political,
legal, institutional and cultural factors, and proximal
determinants such as socioeconomic status, physical environment,
living and working conditions, immigration status, family and
social network, lifestyle or behavior and demographics.

Section 3. Establishment of office.
(a) Establishment and purpose.--The Office of Health Equity
is established within the department to facilitate the
advancement of health equity by reducing health disparities and
addressing the social determinants of health in this
Commonwealth.

(b) Staffing.--The office shall include a director of the
office and appropriate legal, information technology,
administrative and other support staff, including an
epidemiologist and a biostatistician.

Section 4. Powers and duties of office.
Responsibilities.--The office shall have the following powers and duties:

(1) Notwithstanding existing Federal and State law, to collect data from public entities in accordance with the purpose of the office.

(2) To seek Federal and State grants and any grants or money that may be available from private organizations or entities to carry out the powers and duties of the office.

(3) To enter into public-private partnerships as necessary to carry out the powers and duties of the office.

(4) To research, develop, disseminate and advocate public health strategies to address health disparities in this Commonwealth.

(5) To advise the department in matters relating to health disparities and health equity.

(6) To collaborate with State agencies, legislators, policy makers, insurers, health care providers, community-based organizations, academic institutions and other entities, both public and private, to develop and implement policies and programs that result in a measurable and sustained improvement in health care access and health outcomes of underserved and disparate populations in this Commonwealth.

(7) To collect and analyze data to identify and track health disparities in this Commonwealth.

(8) To assist in identifying the conditions and causes of health disparities. The office shall, to the extent practicable or feasible, consider social determinants of health as contributing factors to health disparities.

(9) To coordinate research and scientific studies.
regarding the epidemiology, sociological impact and strategy
development relating to health disparities.

(10) To develop and assist with the implementation of
policies to reduce health disparities.

(11) To recommend actions to address health disparities
that:

(i) Are data-driven, evidence-based and culturally
aware.

(ii) Address subpopulations with the highest levels
of disparity in health care access and outcomes,
including ways to reduce and eliminate disparities in
access to quality and affordable health care and health
outcomes based on race, ethnicity, gender, sex, sexual
orientation, national origin, disability status and
geographic location.

(iii) Include disparities related to:

(A) Cancers, including breast, lung, cervical,
prostate and colorectal cancer.

(B) Cardiovascular diseases, including coronary
heart disease and stroke.

(C) Pulmonary diseases, including asthma and
chronic obstructive pulmonary disease (COPD).

(D) Metabolic diseases, including diabetes,
cirrhosis and other diseases of the liver.

(E) Autoimmune diseases, including lupus and
multiple sclerosis.

(F) Infectious diseases, including COVID-19,
influenza, HIV/AIDS and hepatitis.

(G) Maternal morbidity, mortality and infant
health.
(H) Disability status.

(iv) Include disparities in access and outcomes relating to behavioral health and mental health equity.

(12) To liaise with public entities and private entities to engage in collaborative strategies to address health disparities.

(13) To disseminate information on programs to reduce and eliminate health disparities.

(14) To utilize assessment tools to improve racial and cultural competency of health care providers.

(15) To increase public awareness of the existence of health disparities.

(b) Reports.--The office shall prepare an annual report on the status of health disparities in this Commonwealth and strategies to address health disparities. The following apply:

(1) The report shall be made available through the publicly accessible Internet website of the office.

(2) A copy of the report shall be submitted to:

(i) The head of each public entity that is subject to this act.

(ii) The chairperson and minority chairperson of the Health and Human Services Committee of the Senate.

(iii) The chairperson and minority chairperson of the Health Committee of the House of Representatives.

(iv) The chairperson and minority chairperson of the Human Services Committee of the House of Representatives.

(3) The report shall not contain personal identifying information or other information that is protected from disclosure under Federal or State law.

Section 5. Advisory committee.

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(a) Establishment.--The Office of Health Equity Advisory Committee is established within the office to provide advice and guidance to the Governor and the secretary on programs, activities and actions to address health disparities in this Commonwealth.

(b) Membership.--The membership of the advisory committee shall be at the discretion of the secretary and shall, at a minimum, include representatives of academia, the provider community, community-based organizations and representatives of disparate populations.

(c) Duties.--The advisory committee shall have the following duties, at a minimum:

(1) To advise the office on strategic priorities for the elimination of health disparities.

(2) To regularly evaluate the effectiveness of actions taken by the office and public entities to address health disparities.

(3) To collaborate with public entities to develop policies designed to eliminate health disparities.

Section 6. Responsibilities of public entities and others.

Each public entity shall cooperate with the office to enable the office to carry out the powers and duties of the office and provide any necessary data to the office, subject to confidentiality standards and the protection of personal identifying information as required by Federal and State law.

The following apply:

(1) The head of each public entity shall ensure that the necessary data is provided to the office.

(2) A board, commission, authority, agency or other entity of a public entity need not separately provide data to
the office if the head of the public entity is providing the same data to the office.

Section 7. Protected information.

(a) Unauthorized use of data.--

(1) A person commits a misdemeanor of the third degree if the person:

(i) intentionally or knowingly releases or otherwise discloses data under this act to a person not authorized to receive the data under this act; or

(ii) intentionally or knowingly releases or otherwise discloses personal identifying information that is protected by confidentiality standards under Federal or State law.

(2) Except as provided in subsection (b), a person commits a misdemeanor of the third degree if the person is an unauthorized person who knowingly receives or possesses the data or personal identifying information described in paragraph (1).

(b) Return and notice.--If an unauthorized person inadvertently or by error gains access to the data or personal identifying information described in subsection (a)(2), the person shall immediately return the data or personal identifying information, without duplication, and notify the office in writing of the improper receipt or possession.

Section 8. Effective date.

This act shall take effect in 60 days.