

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 2686 Session of  
2022

INTRODUCED BY THOMAS, FARRY, SCHLOSSBERG, BOBACK, CIRESI,  
HANBIDGE, HENNESSEY, HILL-EVANS, LABS, MENTZER, PENNYCUICK,  
POLINCHOCK, RYAN, SCHROEDER, TOMLINSON, ZIMMERMAN, QUINN,  
ISAACSON AND STRUZZI, JUNE 20, 2022

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,  
SEPTEMBER 14, 2022

## AN ACT

1 Amending the act of April 9, 1929 (P.L.343, No.176), entitled  
2 "An act relating to the finances of the State government;  
3 providing for cancer control, prevention and research, for  
4 ambulatory surgical center data collection, for the Joint  
5 Underwriting Association, for entertainment business  
6 financial management firms, for private dam financial  
7 assurance and for reinstatement of item vetoes; providing for  
8 the settlement, assessment, collection, and lien of taxes,  
9 bonus, and all other accounts due the Commonwealth, the  
10 collection and recovery of fees and other money or property  
11 due or belonging to the Commonwealth, or any agency thereof,  
12 including escheated property and the proceeds of its sale,  
13 the custody and disbursement or other disposition of funds  
14 and securities belonging to or in the possession of the  
15 Commonwealth, and the settlement of claims against the  
16 Commonwealth, the resettlement of accounts and appeals to the  
17 courts, refunds of moneys erroneously paid to the  
18 Commonwealth, auditing the accounts of the Commonwealth and  
19 all agencies thereof, of all public officers collecting  
20 moneys payable to the Commonwealth, or any agency thereof,  
21 and all receipts of appropriations from the Commonwealth,  
22 authorizing the Commonwealth to issue tax anticipation notes  
23 to defray current expenses, implementing the provisions of  
24 section 7(a) of Article VIII of the Constitution of  
25 Pennsylvania authorizing and restricting the incurring of  
26 certain debt and imposing penalties; affecting every  
27 department, board, commission, and officer of the State  
28 government, every political subdivision of the State, and  
29 certain officers of such subdivisions, every person,  
30 association, and corporation required to pay, assess, or  
31 collect taxes, or to make returns or reports under the laws

1 imposing taxes for State purposes, or to pay license fees or  
2 other moneys to the Commonwealth, or any agency thereof,  
3 every State depository and every debtor or creditor of the  
4 Commonwealth," providing for Collaborative Care Model and  
5 Primary Care Behavioral Health Model Implementation Program;  
6 and making an appropriation.

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

9 Section 1. The act of April 9, 1929 (P.L.343, No.176), known  
10 as The Fiscal Code, is amended by adding an article to read:

11 ARTICLE I-K

12 COLLABORATIVE CARE MODEL

13 AND PRIMARY CARE BEHAVIORAL HEALTH MODEL

14 IMPLEMENTATION PROGRAM

15 Section 101-K. Definitions.

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

19 "Collaborative care model." The evidence-based, integrated  
20 behavioral health service delivery method described in 81 Fed.  
21 Reg. 80230 (Nov. 15, 2016), which includes a formal  
22 collaborative arrangement among a primary care team consisting  
23 of a primary care physician, a care manager and a psychiatric  
24 consultant, and includes the following elements:

25 (1) Care directed by the primary care team.

26 (2) Structured care management.

27 (3) Regular assessments of clinical status using  
28 developmentally appropriate, validated tools.

29 (4) Modification of treatment as appropriate.

30 "Collaborative care technical assistance center." A health  
31 care organization that can provide educational support and  
32 technical assistance related to the collaborative care model or  
33 primary care behavioral health model in a specific region of

this Commonwealth. The term includes an academic medical center located in this Commonwealth.

"Department." The Department of Human Services of the Commonwealth.

"Primary care behavioral health model." The evidence-based, integrated behavioral health service delivery method which includes MAY INCLUDE a licensed behavioral health professional, psychologist, PSYCHIATRIST, clinical social worker or counselor in the primary care team and the following elements:

(1) Care directed by the primary care team.

(2) Structured care management.

(3) Regular assessments of clinical status using developmentally appropriate, validated tools.

(4) Modification of treatment as appropriate.

Section 102-K. Primary care grants.

(a) Grants.--The department shall make grants to primary care physicians and primary care practices to meet the initial costs of establishing and delivering behavioral health integration services through the collaborative care model or primary care behavioral health model. Primary care physicians and primary care practices may work with larger health systems for the purposes of applying for and implementing grants under this section.

(b) Use of grants.--A primary care physician or primary care practice that receives a grant under this section shall use funds received through the grant:

(1) To hire staff.

(2) To identify and formalize contractual relationships with other health care practitioners, including practitioners who will function as psychiatric consultants and behavioral

1 health care managers in providing behavioral health  
2 integration services through the collaborative care model or  
3 primary care behavioral health model.

4 (3) To purchase or upgrade software and other resources  
5 needed to appropriately provide behavioral health integration  
6 services through the collaborative care model or primary care  
7 behavioral health model, including resources needed to  
8 establish a patient registry and implement measurement-based  
9 care.

10 (4) For other purposes that the department may determine  
11 to be necessary.

12 (c) Priority.--In making grants under this section, the  
13 department shall give priority to primary care physicians and  
14 primary care practices:

15 (1) that are in rural areas; or  
16 (2) that are in a county in which the suicide or  
17 overdose death rate is higher than the national average  
18 suicide or overdose death rate, according to the averages  
19 recorded and maintained by the Centers for Disease Control  
20 and Prevention.

21 Section 103-K. Technical assistance grants.

22 (a) Regions.--The department shall divide the Commonwealth  
23 into the following six regions:

24 (1) Northeast.  
25 (2) Southeast.  
26 (3) North central.  
27 (4) South central.  
28 (5) Northwest.  
29 (6) Southwest.

30 (b) Grants.--The department shall solicit proposals from and

enter into a grant agreement with at least one eligible collaborative care technical assistance center applicant from each region under subsection (a) to provide technical assistance to primary care physicians and primary care practices on providing behavioral health integration services through the collaborative care model or primary care behavioral health model.

(c) Technical assistance described.--An entity that receives a grant under subsection (b), in a region described in subsection (a), shall provide technical assistance to primary care physicians and primary care practices within that region that will assist primary care physicians and primary care practices with the following:

(1) Developing financial models and budgets for program launch and sustainability based on practice size.

(2) Developing staffing models for essential staff roles, including care managers, licensed behavioral health professionals, psychologists and consulting psychiatrists.

(3) Providing information technology expertise to assist with building the model requirements into electronic health records, including assistance with care manager tools, patient registry, ongoing patient monitoring and patient records.

(4) Training support for all key staff and operational consultation to develop practice workflows.

(5) Establishing methods to ensure the sharing of best practices and operational knowledge among primary care physicians and primary care practices that provide behavioral health integration services through the collaborative care model or primary care behavioral health model.

1       (6) Accurately and appropriately coding and billing  
2       insurers for collaborative care model and primary care  
3       behavioral health model services.

4       (7) For other purposes that the department may determine  
5       to be necessary.

6       (d) Promotion required.--A collaborative care technical  
7       assistance center that receives a grant under subsection (b), in  
8       a region described in subsection (a), shall promote to primary  
9       care physicians and primary care practices within the  
10       collaborative care technical assistance center's region the  
11       opportunity for primary care physicians and primary care  
12       practices to apply for and receive the grants available under  
13       section 102-K.

14       Section 104-K. Eligibility.

15       (a) Eligible applicant.--In order to be deemed an eligible  
16       applicant, a collaborative care technical assistance center must  
17       provide information on how it would meet the guidelines under  
18       section 103-K when submitting an application to the department.

19       (b) Exception.--If there are no applications submitted to  
20       the department by a potential collaborative care technical  
21       assistance center under section 103-K, in one or more regions  
22       described under section 103-K(a), or the department determines  
23       that none of the applications for a particular region indicate  
24       that any applicant is fully capable of providing the technical  
25       assistance described in section 103-K(c), the department may  
26       award a grant to an applicant from outside that region, provided  
27       that the applicant must describe how it will adequately provide  
28       the technical assistance in the region.

29       Section 2. From the money received by the Commonwealth from  
30       the Federal Government under the American Rescue Plan Act of

1 2021 (Public Law 117-2, 135 Stat. 4), the sum of \$20,000,000 is  
2 appropriated to the Department of Human Services for the  
3 following:

4 (1) The sum of \$14,000,000 for grants under section 102-  
5 K.

6 (2) The sum of \$6,000,000 for grants under section 103-  
7 K.

8 Section 3. This act shall take effect immediately.