

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL**No. 2157** Session of
2009

INTRODUCED BY BOYLE, DeLUCA, BELFANTI, BRENNAN, BROWN, FREEMAN,
KORTZ, MANN, McGEEHAN, MUNDY, MURPHY, M. O'BRIEN, M. SMITH,
BRIGGS, BISHOP, JOSEPHS, FRANKEL, BRADFORD AND PASHINSKI,
DECEMBER 9, 2009

AS REPORTED FROM COMMITTEE ON HEALTH AND HUMAN SERVICES, HOUSE
OF REPRESENTATIVES, AS AMENDED, JUNE 30, 2010

AN ACT

1 Creating the Pennsylvania Chronic Care Commission, providing for
2 responsibilities and duties of the commission and for duties
3 of the Department of Health.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Pennsylvania
8 Chronic Care Commission Act.

9 Section 2. Definitions.

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

13 "Chronic care model." A model of care that includes the
14 following:

15 (1) The provision of effective health management through
16 support and information that also promotes patient self-care
17 for patients with chronic conditions.

1 (2) The use of evidence-based medicine to ensure
2 appropriate treatment decisions by health care providers.

3 (3) The coordination of care and use of reasonably
4 accessible and updated patient information that encourages
5 follow-up care as a standard procedure.

6 (4) The tracking of clinical information for individual
7 and general patient populations to guide treatment and
8 effectively anticipate community health care problems.

9 "Commission." The Pennsylvania Chronic Care Commission.

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

11 "Health care facility." A health care facility as defined
12 under section 802.1 of the act of July 19, 1979 (P.L.130,
13 No.48), known as the Health Care Facilities Act, or an entity
14 licensed as a hospital under the act of June 13, 1967 (P.L.31,
15 No.21), known as the Public Welfare Code.

16 "Health care provider." A health care provider licensed to
17 practice a component of the healing arts by a licensing board
18 within the Department of State who provides health care services
19 at a community-based health care clinic.

20 "Health payor." An individual or entity paying for health
21 services for himself or itself or on behalf of another.

22 "Hospital." An entity located in this Commonwealth that is
23 licensed as a hospital under the act of July 19, 1979 (P.L.130,
24 No.48), known as the Health Care Facilities Act.

25 "Insurer." A company or health insurance entity licensed in
26 this Commonwealth to issue any health, sickness or accident
27 policy or subscriber contract or certificate or plan that
28 provides medical or health care coverage by a health care
29 facility or licensed health care provider that is offered or
30 governed under any of the following:

1 (1) The act of May 17, 1921 (P.L.682, No.284), known as
2 The Insurance Company Law of 1921.

3 (2) The act of December 29, 1972 (P.L.1701, No.364),
4 known as the Health Maintenance Organization Act.

5 (3) The act of May 18, 1976 (P.L.123, No.54), known as
6 the Individual Accident and Sickness Insurance Minimum
7 Standards Act.

8 (4) 40 Pa.C.S. Ch. 61 (relating to hospital plan
9 corporations) or 63 (relating to professional health service
10 plan corporations).

11 "Regional community learning collaborative." A collaboration
12 between health care facilities, health care providers,
13 hospitals, insurers, health payors and consumers to exchange
14 information about chronic care models and assist in efforts
15 toward adoption of a chronic care model.

16 Section 3. Pennsylvania Chronic Care Commission.

17 There is established in the department the Pennsylvania
18 Chronic Care Commission whose purpose is to design and implement
19 the informational, technological and reimbursement
20 infrastructure needed to support widespread dissemination,
21 adaptation and implementation of the components for chronic care
22 in relevant health care facilities and among health care
23 providers throughout this Commonwealth.

24 Section 4. Powers and duties.

25 The commission shall have the following powers and duties:

26 (1) Determine how to align and integrate the components
27 for chronic care into the current health care system and into
28 currently existing chronic care models throughout this
29 Commonwealth. These components include, but are not limited
30 to, the following:

1 (i) providing patients with chronic conditions
2 support and information to effectively manage their
3 health;

4 (ii) providing information for health care providers
5 to make treatment decisions based on evidence-based
6 medicine;

7 (iii) ensuring that health care providers have
8 access to current information about patients and that
9 follow-up care is provided as a standard procedure;

10 (iv) collecting clinical information on individual
11 patients and groups of patients that leads to the
12 development of treatment guidelines;

13 (v) engaging patients and health care providers in
14 chronic care improvement efforts; and

15 (vi) forming partnerships with State and local
16 organizations to support and expand efforts to treat and
17 care for those with chronic diseases.

18 (2) Participate in the establishment of regional
19 community learning collaboratives to educate health care
20 providers, health care teams and consumers on the components
21 for chronic care and evidence-based treatment of chronic
22 disease.

23 (3) Identify, assess and disseminate information on
24 current efforts surrounding the implementation and
25 maintenance of chronic care models in each regional community
26 learning collaborative and across this Commonwealth.

27 (4) Develop guidelines for the review of patient data by
28 the commission and regional community learning collaboratives
29 that maintain the confidentiality required by Federal and
30 State law.

1 (5) Develop care protocols that assess the factors
2 influencing the implementation of the components for chronic
3 care.

4 (6) Assess and potentially incorporate existing efforts
5 dealing with chronic care being performed by Commonwealth
6 agencies.

7 (7) Develop and construct data measures that can be used
8 by the commission to measure provider performance.

9 (8) Create evaluation processes and outcome measures to
10 monitor implementation of the components for chronic care in
11 different clinical settings.

12 Section 5. Composition of commission.

13 (a) Members.--The commission shall consist of the following
14 members:

15 (1) Five members of the Governor's cabinet, or their
16 respective designees, who shall serve ex officio and one of
17 whom shall act as cochair, as selected by the Governor.

18 (2) Individuals from each of the following categories
19 appointed by the Governor, one of whom shall act as cochair
20 as selected by the Governor:

21 (i) a health insurer medical director;

22 (ii) a health insurance actuary;

23 (iii) a registered nurse, certified nurse
24 practitioner, clinical nurse specialist, physician
25 assistant or pharmacist that is currently practicing
26 within this Commonwealth;

27 (iv) two primary care physicians who are members of
28 the Pennsylvania Medical Society;

29 (v) a specialty care physician in active practice;

30 (vi) an individual with a background in chronic care

1 from an academic medical center;
2 (vii) a provider of home health care;
3 (viii) a health services researcher with expertise
4 in chronic care;
5 (ix) an individual with a background in information
6 technology and systems;
7 (x) a representative from an organization that
8 represents individuals with chronic conditions;
9 (xi) a consumer with a chronic condition or multiple
10 chronic conditions;
11 (xii) a consumer with a chronic condition or
12 multiple chronic conditions who is at least 65 years of
13 age;
14 (xiii) two individuals representing hospitals who
15 are members of the Hospital and Health System Association
16 of Pennsylvania; ~~and~~ ←
17 (XIV) A LICENSED DIETITIAN-NUTRITIONIST; AND ←
18 ~~(xiv)~~ (XV) any other individual who can assist the ←
19 commission with the purposes under this act.

20 (b) Term and compensation.--The members chosen under
21 subsection (a) shall each serve for a term of three years and
22 continue to serve until their successor is appointed. Members
23 shall serve without compensation except for payment of necessary
24 and actual expenses incurred in attending meetings and in
25 performing their duties and responsibilities as commission
26 members.

27 (c) Staff.--The department shall provide staff and data
28 support to the commission.

29 Section 6. Powers and duties of department.

30 The department shall have the following powers and duties:

1 (1) Assist the commission with outreach efforts to
2 educate consumer groups and the health care provider
3 community in order to engage individuals to take necessary
4 steps to prevent chronic diseases and to better self-manage
5 their chronic conditions with the support of a health care
6 team.

7 (2) Assist the commission in the development of a
8 Statewide chronic care information system, including rules
9 for secure information sharing, which permits the exchange of
10 information among the regional community learning
11 collaboratives and the department.

12 (3) Establish registries that collect clinical data on
13 patients with chronic conditions and the methods for
14 disseminating this information for use by providers.

15 (4) On or before December 31, 2010, and for each year
16 thereafter, provide a report to the General Assembly that
17 includes:

18 (i) the number of individuals with chronic
19 conditions for the previous year in which information is
20 available;

21 (ii) a list of each regional community learning
22 collaborative and the number of providers that
23 participate in each collaborative;

24 (iii) support information for patients with chronic
25 conditions;

26 (iv) information for providers on treatment options
27 based on best evidence that was reviewed by the
28 commission and the department in the past year; and

29 (v) any other information the commission or the
30 department deems necessary to assist the public in

1 understanding how to reduce the number of chronic
2 conditions in this Commonwealth.
3 Section 7. Effective date.
4 This act shall take effect immediately.