
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 533 Session of
2019

INTRODUCED BY OWLETT, PICKETT, KAUFER, RYAN, MILLARD, SIMMONS,
MENTZER, GREGORY, ROTHMAN, HEFFLEY, JAMES, LAWRENCE, DeLUCA
AND JONES, FEBRUARY 19, 2019

REFERRED TO COMMITTEE ON HEALTH, FEBRUARY 19, 2019

AN ACT

1 Providing for the use of certain credentialing applications and
2 for credentialing requirements for health insurers; imposing
3 penalties; and conferring powers and imposing duties on the
4 Insurance Department.

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

7 Section 1. Short title.

8 This act shall be known and may be cited as the Health Care
9 Practitioner Credentialing Act.

10 Section 2. Definitions.

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

14 "CAQH." The Council for Affordable Quality Healthcare.

15 "CAQH credentialing application." The application used to
16 collect the credentials data commonly requested by health
17 insurers for purposes of credentialing.

18 "Credentialing." The process of assessing and validating the

1 qualifications of a health care practitioner, including, but not
2 limited to, an evaluation of licensure status, education,
3 training, experience, competence and professional judgment.

4 "Federally qualified health center." A federally qualified
5 health center as defined in section 1905(1)(2)(B) of the Social
6 Security Act (49 Stat. 620, 42 U.S.C. § 1396d(1)(2)(B)), or a
7 federally qualified health center look-alike that is a
8 participating provider with the Department of Human Services
9 under the act of June 13, 1967 (P.L.31, No.21), known as the
10 Human Services Code.

11 "Health care practitioner." As defined under section 103 of
12 the act of July 19, 1979 (P.L.130, No.48), known as the Health
13 Care Facilities Act. The term shall include a health care
14 practitioner at a federally qualified health center.

15 "Health insurer." As follows:

16 (1) An entity that contracts or offers to contract to
17 provide, deliver, arrange for, pay for or reimburse any of
18 the costs of health care services in exchange for a premium,
19 including, but not limited to, a Medicaid managed care
20 organization as defined in section 1903(m)(1)(a) of the
21 Social Security Act, and an entity licensed under any of the
22 following:

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

25 (ii) The act of December 29, 1972 (P.L.1701,
26 No.364), known as the Health Maintenance Organization
27 Act.

28 (iii) 40 Pa.C.S. Ch. 61 (relating to hospital plan
29 corporations).

30 (iv) 40 Pa.C.S. Ch. 63 (relating to professional

1 health services plan corporations).

2 (2) The term shall not include the following types of
3 insurance, or any combination thereof:

4 (i) Accident only.

5 (ii) Fixed indemnity.

6 (iii) Limited benefit.

7 (iv) Credit.

8 (v) Dental.

9 (vi) Vision.

10 (vii) Specified disease.

11 (viii) Medicare supplement.

12 (ix) Civilian Health and Medical Program of the
13 Uniformed Services (CHAMPUS) supplement.

14 (x) Long-term care or disability income.

15 (xi) Workers' compensation.

16 (xii) Automobile medical payment insurance.

17 Section 3. Utilization of CAQH.

18 All health insurers licensed to do business in this
19 Commonwealth shall be required to accept the CAQH credentialing
20 application or other form designated by the Insurance Department
21 so long as the form is nationally recognized as an appropriate
22 credentialing application when submitted by a health care
23 practitioner for participation in the health insurer's provider
24 panel. All health care practitioners shall use the CAQH or other
25 designated form. An application shall be considered complete if
26 the application is submitted through the CAQH electronic process
27 or other process as designated by the Insurance Department and
28 all required information is provided.

29 Section 4. Credentialing.

30 The health insurer shall issue a credentialing determination

1 within 45 days after receiving a complete CAQH credentialing
2 application.

3 Section 5. Penalty.

4 The Insurance Department shall assess an administrative
5 penalty on a health insurer for a failure to utilize CAQH, or
6 other designated application, or for intentionally and routinely
7 failing to complete the credentialing process according to
8 section 4. No health insurer shall be subject to an
9 administrative penalty based on a health care practitioner's
10 failure to use or complete a CAQH credentialing application.

11 Section 6. Rights.

12 Nothing in this act shall be construed to guarantee the
13 rights of a health care practitioner to participate in any
14 health insurer network in this Commonwealth nor require a health
15 insurer to accept any willing health care provider to an
16 insurance network.

17 Section 7. Rules and regulations.

18 The Insurance Department shall promulgate rules and
19 regulations to administer and enforce this act.

20 Section 8. Repeals.

21 All acts and parts of acts are repealed insofar as they are
22 inconsistent with this act.

23 Section 9. Effective date.

24 This act shall take effect in 180 days.