

**HOUSE . . . . . No. 01495**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Kay Khan*

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act promoting patient engagement in health care decisions.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>
<i>William N. Brownsberger</i>	<i>24th Middlesex</i>
<i>Alice K. Wolf</i>	<i>25th Middlesex</i>
<i>Brian Ashe</i>	<i>2nd Hampden</i>
<i>Jason M. Lewis</i>	<i>31st Middlesex</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>

# HOUSE . . . . . No. 01495

By Ms. Kay Khan of Newton, petition (accompanied by bill, House, No. 01495) of Alice K. Wolf and others promoting patient engagement in health care decisions. Joint Committee on Public Health.

## The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act promoting patient engagement in health care decisions.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 AN Act Promoting Patient Engagement in Health Care Decisions

2 SECTION 1. Chapter 111 of the General Laws is hereby amended by inserting after section 222

3 the following section:—

4 Section 223. (a) As used in this section, the following words shall have the following meanings:

5 “Shared decision-making,” a collaborative process between patient and clinician that engages the  
6 patient in decision-making, provides patients with information about trade-offs among treatment  
7 options, and facilitates the incorporation of patient preferences and values into the medical plan.

8 “Patient decision aid,” an educational tool that helps patients understand and communicate their  
9 beliefs and preferences related to their treatment options, and to decide with their health care

10 provider what treatments are best for them based on their treatment options, scientific evidence,  
11 circumstances, beliefs and preferences.

12 (b) The department shall develop a plan for the optimal use of shared decision-making tools and  
13 patient decision aids in Massachusetts in order to ensure patients make fully informed decisions  
14 about medical care.

15 The plan shall include a list of conditions, to be reviewed and updated periodically by the Shared  
16 Decision-Making Advisory Committee, for which patient decision aids shall be used. The plan  
17 shall recommend standards for appropriate use and content of patient decision aids, based on the  
18 best available evidence and nationally-promulgated standards. For surgical procedures, such  
19 information shall include, at a minimum, information on survival rates, adverse effects,  
20 alternatives to surgery, percentage of patients needing the procedure again, and cost.

21 (c) The department shall establish a Shared Decision-Making Advisory Committee to assist in  
22 developing the plan, reviewing the list of conditions, evaluating outcomes, and recommending  
23 changes. The Shared Decision-Making Advisory Committee shall include at least one consumer  
24 representative.

25 The department shall conduct an evaluation of the use of shared decision-making tools and  
26 patient decision aids in Massachusetts on a regular basis, as determined by the Advisory  
27 Committee.

28 (d) All insurers, including the MassHealth program established under chapter 118E and the  
29 Commonwealth Care Health Insurance Program established under chapter 118H, shall reimburse  
30 providers for the use of shared decision-making tools and patient decision aids.