

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

HOUSE BILL

No. 1510 Session of  
2023

---

INTRODUCED BY MENTZER, PICKETT, ARMANINI, JAMES, FEE, KULIK,  
ZIMMERMAN, BENHAM, KHAN AND RADER, JUNE 26, 2023

---

REFERRED TO COMMITTEE ON INSURANCE, JUNE 26, 2023

---

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  
19 qualifications of a health care practitioner, including, but not

1 limited to, an evaluation of licensure status, education,  
2 training, experience, competence and professional judgment.

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

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

13 "Health insurer." As follows:

14 (1) An entity that contracts or offers to contract to  
15 provide, deliver, arrange for, pay for or reimburse any of  
16 the costs of health care services in exchange for a premium,  
17 including, but not limited to, a Medicaid managed care  
18 organization as defined in 42 U.S.C. § 1396b(m)(1)(A)  
19 (relating to payment to states), and an entity licensed under  
20 any of the following:

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

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

26 (iii) 40 Pa.C.S. Ch. 61 (relating to hospital plan  
27 corporations).

28 (iv) 40 Pa.C.S. Ch. 63 (relating to professional  
29 health services plan corporations).

30 (2) The term shall not include the following types of

1 insurance or any combination thereof:

2 (i) Accident only.

3 (ii) Fixed indemnity.

4 (iii) Credit.

5 (iv) Vision.

6 (v) Specified disease.

7 (vi) Medicare supplement.

8 (vii) Civilian Health and Medical Program of the  
9 Uniformed Services (CHAMPUS), supplement.

10 (viii) Long-term care or disability income.

11 (ix) Workers' compensation.

12 (x) Automobile medical payment insurance.

13 (xi) Hospital indemnity.

14 Section 3. Utilization of CAQH.

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

26 Section 4. Credentialing.

27 (a) Notice.--Within 10 business days after receiving a CAQH  
28 credentialing application, the health insurer shall notify the  
29 health care practitioner in writing on whether the application  
30 is complete or incomplete. The health insurer shall state the

1 reasons why the application is incomplete within the time frame  
2 specified under this subsection.

3 (b) Issuance.--The health insurer shall issue a  
4 credentialing determination within 45 business days after  
5 receiving a complete CAQH credentialing application. When a  
6 health care practitioner is not credentialed by a health  
7 insurer, the health insurer shall notify the health care  
8 practitioner in writing of the reasons for the decision within  
9 the time frame specified under this subsection.

10 (c) Automatic credentialing.--Upon approving a health care  
11 practitioner's complete CAQH credentialing application with  
12 practices in multiple locations, the health care practitioner  
13 shall be automatically credentialed to serve in the health  
14 insurer's provider panel in all locations.

15 Section 5. Penalty.

16 The Insurance Department shall assess an administrative  
17 penalty on a health insurer for a failure to utilize CAQH, or  
18 other designated application, or for intentionally and routinely  
19 failing to complete the credentialing process according to  
20 section 4. No health insurer shall be subject to an  
21 administrative penalty based on a health care practitioner's  
22 failure to use or complete an accurate CAQH credentialing  
23 application.

24 Section 6. Rights.

25 Nothing in this act shall be construed to guarantee the  
26 rights of a health care practitioner to participate in any  
27 health insurer network in this Commonwealth nor require a health  
28 insurer to accept any willing health care provider to an  
29 insurance network.

30 Section 7. Rules and regulations.

1       The Insurance Department shall promulgate rules and  
2 regulations to administer and enforce this act.

3 Section 8. Repeals.

4       All acts and parts of acts are repealed insofar as they are  
5 inconsistent with this act.

6 Section 9. Effective date.

7       This act shall take effect in 180 days.