

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 24 Session of 2023

INTRODUCED BY STRUZZI, JAMES, KINKEAD, PICKETT, SMITH AND ZIMMERMAN, MARCH 7, 2023

REFERRED TO COMMITTEE ON HUMAN SERVICES, MARCH 7, 2023

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  
 32 imposing taxes for State purposes, or to pay license fees or  
 33 other moneys to the Commonwealth, or any agency thereof,  
 34 every State depository and every debtor or creditor of the

1 Commonwealth," providing for Collaborative Care Model and  
2 Primary Care Behavioral Health Model Implementation Program;  
3 and making an appropriation.

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

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

8 ARTICLE I-K

9 COLLABORATIVE CARE MODEL

10 AND PRIMARY CARE BEHAVIORAL HEALTH MODEL

11 IMPLEMENTATION PROGRAM

12 Section 101-K. Definitions.

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

16 "Collaborative care model." The evidence-based, integrated  
17 behavioral health service delivery method described in 81 Fed.  
18 Reg. 220, 80230 (November 15, 2016), which includes a formal  
19 collaborative arrangement among a primary care team consisting  
20 of a primary care physician, a care manager and a psychiatric  
21 consultant, and includes the following elements:

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

23 (2) Structured care management.

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

26 (4) Modification of treatment as appropriate.

27 "Collaborative care technical assistance center." A health  
28 care organization that can provide educational support and  
29 technical assistance related to the collaborative care model or  
30 primary care behavioral health model in a specific region of  
31 this Commonwealth. The term includes an academic medical center

1 located in this Commonwealth.

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

4 "Primary care behavioral health model." The evidence-based,  
5 integrated behavioral health service delivery method which may  
6 include a licensed behavioral health professional, psychologist,  
7 psychiatrist, clinical social worker or counselor in the primary  
8 care team and the following elements:

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

10 (2) Structured care management.

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

13 (4) Modification of treatment as appropriate.

14 Section 102-K. Primary care grants.

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

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

26 (1) To hire staff.

27 (2) To identify and formalize contractual relationships  
28 with other health care practitioners, including practitioners  
29 who will function as psychiatric consultants and behavioral  
30 health care managers in providing behavioral health

1 integration services through the collaborative care model or  
2 primary care behavioral health model.

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

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

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

14 (1) that are in rural areas; or

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

20 Section 103-K. Technical assistance grants.

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

23 (1) Northeast.

24 (2) Southeast.

25 (3) North central.

26 (4) South central.

27 (5) Northwest.

28 (6) Southwest.

29 (b) Grants.--The department shall solicit proposals from and  
30 enter into a grant agreement with at least one eligible

1 collaborative care technical assistance center applicant from  
2 each region under subsection (a) to provide technical assistance  
3 to primary care physicians and primary care practices on  
4 providing behavioral health integration services through the  
5 collaborative care model or primary care behavioral health  
6 model.

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

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

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

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

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

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

30 (6) Accurately and appropriately coding and billing

1 insurers for collaborative care model and primary care  
2 behavioral health model services.

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

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

13 Section 104-K. Eligibility.

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

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

28 Section 2. From the money received by the Commonwealth from  
29 the Federal Government under the American Rescue Plan Act of  
30 2021 (Public Law 117-2, 135 Stat. 4), the sum of \$20,000,000 is

1 appropriated to the Department of Human Services for the  
2 following:

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

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

7 Section 3. This act shall take effect immediately.