
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2613 Session of
2022

INTRODUCED BY MENTZER, MILLARD AND HENNESSEY, MAY 24, 2022

REFERRED TO COMMITTEE ON HEALTH, MAY 24, 2022

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

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

14 "Health insurer." As follows:

15 (1) An entity that contracts or offers to contract to
16 provide, deliver, arrange for, pay for or reimburse any of
17 the costs of health care services in exchange for a premium,
18 including, but not limited to, a Medicaid managed care
19 organization as defined in section 1903(m)(1)(a) of the
20 Social Security Act (49 Stat. 620, 42 U.S.C. § 301 et seq.),
21 and an entity licensed under any of the following:

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

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

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

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

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

3 (i) Accident only.

4 (ii) Fixed indemnity.

5 (iii) Limited benefit.

6 (iv) Credit.

7 (v) Dental.

8 (vi) Vision.

9 (vii) Specified disease.

10 (viii) Medicare supplement.

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

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

14 (xi) Workers' compensation.

15 (xii) Automobile medical payment insurance.

16 (xiii) Hospital indemnity.

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 60 days after receiving a complete CAQH credentialing
2 application. When a health care practitioner is not credentialed
3 by a health insurer, the health insurer shall notify the health
4 care practitioner in writing of the reasons for the decision
5 within the time frame specified under this section.

6 Section 5. Penalty.

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

15 Section 6. Rights.

16 Nothing in this act shall be construed to guarantee the
17 rights of a health care practitioner to participate in any
18 health insurer network in this Commonwealth nor require a health
19 insurer to accept any willing health care provider to an
20 insurance network.

21 Section 7. Rules and regulations.

22 The Insurance Department shall promulgate rules and
23 regulations to administer and enforce this act.

24 Section 8. Repeals.

25 All acts and parts of acts are repealed insofar as they are
26 inconsistent with this act.

27 Section 9. Effective date.

28 This act shall take effect in 180 days.