

SSB 5891 - H COMM AMD

By Committee on Health Care & Wellness

ADOPTED 04/08/2009

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature declares that collaboration
4 among public payors, private health carriers, third-party purchasers,
5 and providers to identify appropriate reimbursement methods to align
6 incentives in support of primary care medical homes is in the best
7 interest of the public. The legislature therefore intends to exempt
8 from state antitrust laws, and to provide immunity from federal
9 antitrust laws through the state action doctrine, for activities
10 undertaken pursuant to pilots designed and implemented under section 2
11 of this act that might otherwise be constrained by such laws. The
12 legislature does not intend and does not authorize any person or entity
13 to engage in activities or to conspire to engage in activities that
14 would constitute per se violations of state and federal antitrust laws
15 including, but not limited to, agreements among competing health care
16 providers or health carriers as to the price or specific level of
17 reimbursement for health care services.

18 NEW SECTION. **Sec. 2.** A new section is added to chapter 70.54 RCW
19 to read as follows:

20 The health care authority and the department of social and health
21 services shall design, oversee implementation, and evaluate one or more
22 primary care medical home reimbursement pilot projects in the state to
23 include as participants public payors, private health carriers, third-
24 party purchasers, and health care providers. Based on input from
25 participants, the agencies shall:

26 (1) Determine the number and location of primary care medical home
27 reimbursement pilots;

28 (2) Determine criteria to select primary care clinics to serve as

1 pilot sites to facilitate testing of medical home reimbursement methods
2 in a variety of primary care settings;

3 (3) Select pilot sites from those primary care provider clinics
4 that currently employ a number of activities and functions typically
5 associated with medical homes, or from sites that have been selected by
6 the department of health to participate in a medical home collaborative
7 under section 2, chapter 295, Laws of 2008;

8 (4) Determine one or more reimbursement methods to be tested by the
9 pilots;

10 (5) Identify pilot performance measures for clinical quality,
11 chronic care management, cost, and patient experience through patient
12 self-reporting; and

13 (6) Appropriately coordinate during planning and operation of the
14 pilots with the department of health medical home collaboratives and
15 with other private and public efforts to promote adoption of medical
16 homes within the state.

17 NEW SECTION. **Sec. 3.** A new section is added to chapter 70.54 RCW
18 to read as follows:

19 The health care authority and the department of social and health
20 services may select a pilot site that currently employs the following
21 activities and functions associated with medical homes: Provision of
22 preventive care, wellness counseling, primary care, coordination of
23 primary care with specialty and hospital care, and urgent care
24 services; availability of office appointments seven days per week and
25 e-mail and telephone consultation; availability of telephone access for
26 urgent care consultation on a seven-day per week, twenty-four hours per
27 day basis; and use of a primary care provider panel size that promotes
28 the ability of participating providers to appropriately provide the
29 scope of services described in this section. The reimbursement method
30 chosen for this pilot site must include a fixed monthly payment per
31 person participating in the pilot site for the services described in
32 this section. These services would be provided without the submission
33 of claims for payment from any health carrier by the medical home
34 provider. Agreements for payment made directly by a consumer or other
35 entity paying on the consumer's behalf must comply with the provisions
36 applicable to direct patient-provider primary care practices under
37 chapter 48.150 RCW. In addition, the agencies may determine that the

1 pilot should include a high deductible health plan or other health
2 benefit plan designed to wrap around the primary care services offered
3 under this section.

4 NEW SECTION. **Sec. 4.** This act expires July 1, 2013."

5 Correct the title.

EFFECT: Deletes a portion of the intent statement related to deficiencies in the primary care delivery system. Authorizes the department of social and health services and the health care authority to select a pilot site that provides preventive care, wellness counseling, primary care, and coordination of services utilizing a fixed monthly payment per person.

--- END ---