
SUBSTITUTE SENATE BILL 5891

State of Washington

61st Legislature

2009 Regular Session

By Senate Health & Long-Term Care (originally sponsored by Senator Keiser; by request of Governor Gregoire)

READ FIRST TIME 02/25/09.

1 AN ACT Relating to establishing a forum for testing primary care
2 medical home reimbursement pilot projects; adding a new section to
3 chapter 70.54 RCW; creating a new section; and providing an expiration
4 date.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** (1) The legislature declares that the growth
7 of patient and family-centered primary care medical homes throughout
8 the state is desirable and an important strategy to improve quality of
9 care, particularly for those with chronic conditions, and to achieve
10 long-term cost reductions. The current largely fee-for-service payment
11 system for primary care undervalues that care, is ineffective in
12 supporting medical homes, and serves as a barrier in their development.
13 Creation of pilot projects to test the most promising alternative
14 reimbursement approaches is an appropriate strategy in search of a
15 payment system that supports primary care medical homes.

16 (2) The legislature declares that collaboration among public
17 payors, private health carriers, third-party purchasers, and providers
18 to identify appropriate reimbursement methods to align incentives in
19 support of primary care medical homes is in the best interest of the

1 public. The legislature therefore intends to exempt from state
2 antitrust laws, and to provide immunity from federal antitrust laws
3 through the state action doctrine, for activities undertaken pursuant
4 to pilots designed and implemented under section 2 of this act that
5 might otherwise be constrained by such laws. The legislature does not
6 intend and does not authorize any person or entity to engage in
7 activities or to conspire to engage in activities that would constitute
8 per se violations of state and federal antitrust laws including, but
9 not limited to, agreements among competing health care providers or
10 health carriers as to the price or specific level of reimbursement for
11 health care services.

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

14 The health care authority and the department of social and health
15 services shall design, oversee implementation, and evaluate one or more
16 primary care medical home reimbursement pilot projects in the state to
17 include as participants public payors, private health carriers, third-
18 party purchasers, and health care providers. Based on input from
19 participants, the agencies shall:

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

22 (2) Determine criteria to select primary care clinics to serve as
23 pilot sites to facilitate testing of medical home reimbursement methods
24 in a variety of primary care settings;

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

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

32 (5) Identify pilot performance measures for clinical quality,
33 chronic care management, cost, and patient experience through patient
34 self-reporting; and

35 (6) Appropriately coordinate during planning and operation of the
36 pilots with the department of health medical home collaboratives and

1 with other private and public efforts to promote adoption of medical
2 homes within the state.

3 NEW SECTION. **Sec. 3.** This act expires July 1, 2013.

--- END ---