Executive Order

Commonwealth of Pennsylvania
Governor's Office

Subject: **Health Care Reform Council**	***Number:*** **2020-05**
By Direction of: **Tom Wolf, Governor**	***Date:*** **October 2, 2020**

WHEREAS, health care costs historically have outpaced the growth of the Commonwealth's economy; and

WHEREAS, the Commonwealth purchases health care for more than 3 million Pennsylvanians through the Medical Assistance program, the Children's Health Insurance Program, and other Commonwealth-administered programs; and

WHEREAS, the novel coronavirus (COVID-19) pandemic has underscored the importance of high-quality health care; and

WHEREAS, the pandemic has had a disproportionate impact on racial and ethnic minorities and underserved communities due to structural inequities in health, social and economic factors that preceded COVID-19; and

WHEREAS, the economic collapse caused by the COVID-19 pandemic has led to a large shortfall in the Commonwealth's 2020-2021 budget; and

WHEREAS, coordination among Commonwealth agencies is needed to most effectively manage costs and improve health care delivery; and,

WHEREAS, Pennsylvania has the opportunity to align Commonwealth health care payment and delivery systems to provide efficient whole-person care that also contains health care costs, reduces disparities, and achieves better health outcomes.

NOW, THEREFORE, I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws of the Commonwealth, do hereby establish the Interagency Health Reform Council (Council) and order and direct as follows:

1. Purpose. The purpose of the Council is to evaluate the potential alignment of Commonwealth health care payment and delivery systems to provide efficient, whole-person health care that also contains costs, reduces disparities, and achieves better health outcomes for Pennsylvanians.

2. Membership.

a. The Council shall consist of seven (7) members as follows:

(1) The Governor's Secretary of Policy and Planning or the Secretary's Designee;

(2) The Secretary of Human Services or the Secretary's designee;

(3) The Secretary of Health or the Secretary's designee;

(4) The Insurance Commissioner or the Commissioner's designee;

(5) The Secretary of Corrections or the Secretary's designee;

(6) The Secretary of Aging or the Secretary's designee;

(7) The Secretary of Drug and Alcohol Programs or the Secretary's designee.

b. Council Chair. The Governor shall appoint the Chair of the Council.

(1) The Chair shall establish an agenda, workplan, timeline, and meeting schedule.

(2) The Chair may establish workgroups to assist the Council as appropriate. Workgroups may include advisory non-members, if approved by the Council's chair. All workgroups shall be chaired by a member of the Council.

c. To facilitate its work, the Council may confer with individuals and entities that have experience and expertise in health care oversight, health care purchasing, or health care delivery in the Commonwealth.

3. Procedures.

a. Four (4) members in attendance at a meeting of the Council shall constitute a quorum.

b. Council members may attend meetings in person or remotely by electronic or telephonic means. In-person and remote participation shall be considered attendance for purposes of constituting a quorum.

4. Council Responsibilities. The Council shall have the following responsibilities:

a. Evaluate and recommend policies to align and integrate Commonwealth programs and activities related to health and health care such as:

(1) Revision and coordination of agency programs and policies as needed to support health equity for all Pennsylvanians.

(2) Incorporation of services that address the social determinants of health into the delivery of and payment for health care.

(3) Support of a regional health care structure that fosters collaboration among health care payers, providers, and community partners.

(4) Alignment of value-based payment initiatives and other health care related purchasing to improve the quality of care and drive health care cost savings.

(5) Development of cost-growth benchmarks to foster statewide accountability and contain health care costs.

(6) Enhancement of the quality of care delivered to improve health outcomes.

(7) Development of spending targets to increase investment in primary care and behavioral health and support whole-person health care.

(8) Leveraging the Commonwealth's existing data resources as permitted by applicable law.

(9) Identification of potential savings associated with recommended agency alignment of resources and policies.

(10) Streamlining health care program oversight.

b. Monitor implementation of the Commonwealth's priorities, policies, and initiatives related to enhancing health care delivery and health care cost containment.

c. In the absence of legislative action, develop initial health care cost growth benchmarks by March 31, 2021 and make accompanying recommendations for development of future year cost targets.

5. Interagency Cooperation.

a. The Council may draw resources from each Council member agency, including policy, clinical, analytic, budget, and other staff, to assist the Council's efforts.

b. The Council may draw upon other Commonwealth agencies as needed to promote health in all policies.

c. The Council member agencies may enter into agreements, as permitted by law, to integrate, review, and analyze existing Commonwealth data across agencies, including claims and encounter data, to support evidence-based decision making.

d. In the implementation of a policy developed and approved pursuant to this Executive Order, affected member agencies will seek federal approval of such policy, if necessary.

6. **Reports**. The Council shall submit a report to the Governor no later than December 31, 2020, that includes proposals for the development and implementation of health care reform and identifies all policy and legislative changes needed to effectuate the Council's proposals. The Council may submit other reports, as it deems necessary, on the identified areas of responsibility of the Council under this Executive Order.

7. **Implementation.** All Commonwealth agencies under the Governor's jurisdiction shall take all steps necessary to implement this Executive Order.

8. **General**. This Executive Order shall be implemented consistent with applicable law. Nothing in this Executive Order shall be construed to impair or otherwise affect the authority granted by law to an executive department, agency, or the head thereof. This Executive Order is not intended to, and does not create, any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the Commonwealth, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

9. **Effective date.** This Executive Order will take effect immediately and shall remain in effect unless revised or rescinded by the Governor.