

Department of Planning and Budget 2019 Fiscal Impact Statement

1. **Bill Number:** HB2798

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. **Patron:** Garrett

3. **Committee:** Passed both Houses.

4. **Title:** All-Payer Claims Database; Penalty.

5. **Summary:** Requires the Commissioner of Health, in cooperation with the Bureau of Insurance, to collect health claims data from certain insurers, corporations, managed care organizations, third-party administrators, and employee welfare benefit plans whose employer has opted-in to the All-Payer Claims Database, the Department of Medical Assistance Services, state government health insurance plans, local government health insurance plans, and federal health insurance plans. The bill provides that employers that maintain an employee welfare benefit plan may agree to participate in the All-Payer Claims Database and provides a process for such agreement. The bill adds members to the advisory committee to the nonprofit organization that administers the All-Payer Claims Database. The bill requires the Commissioner of Health to establish a data release committee to review and approve requests for access to data and prohibits the release of data without the approval of such committee. The bill requires the nonprofit organization to ensure that data is timely submitted to the All-Payer Claims Database and authorizes the Board of Health to assess a civil penalty on entities not in compliance. The provisions of the bill are contingent on funding in the general appropriation act.

6. **Budget Amendment Necessary:** See item #8.

7. **Fiscal Impact Estimates:** Indeterminate, see item #8.

8. **Fiscal Implications:** This bill would not have a fiscal impact on the Commonwealth, any additional workload can be absorbed using existing resources. There may be revenues as a result of civil penalties for failure to meet reporting deadlines, however the amount of private data providers that would receive fines cannot be determined. The provisions of the bill are contingent on funding in the general appropriation act.

9. **Specific Agency or Political Subdivisions Affected:** None.

10. **Technical Amendment Necessary:** No.

11. **Other Comments:** None.