
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1886 Session of
2021

INTRODUCED BY BULLOCK, KINSEY, N. NELSON, HILL-EVANS, FRANKEL,
SANCHEZ, MADDEN, KENYATTA AND McCLINTON, SEPTEMBER 20, 2021

REFERRED TO COMMITTEE ON HEALTH, SEPTEMBER 20, 2021

AN ACT

1 Providing for the Office of Health Equity; establishing the
2 Office of Health Equity Advisory Committee; and imposing
3 duties on the Department of Health.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Office of
8 Health Equity Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Advisory committee." The Office of Health Equity Advisory
14 Committee established under section 5(a).

15 "Commonwealth agency." As follows:

16 (1) Any of the following:

17 (i) The Governor's Office.

18 (ii) An executive agency.

- 1 (iii) The office of Lieutenant Governor.
- 2 (iv) An independent agency.
- 3 (v) An independent department.
- 4 (vi) An organization established by the Constitution
- 5 of Pennsylvania, a statute or an executive order that
- 6 performs or is intended to perform an essential
- 7 governmental function.

8 (2) The term does not include:

9 (i) The General Assembly or an office or agency of

10 the General Assembly.

11 (ii) A court or other agency of the unified judicial

12 system.

13 "Department." The Department of Health of the Commonwealth.

14 "Executive agency." As follows:

15 (1) An office, department, authority, board, multistate

16 agency or commission of the executive branch of the

17 Commonwealth that is subject to the policy supervision and

18 control of the Governor.

19 (2) The term includes:

20 (i) The Department of Aging.

21 (ii) The Department of Agriculture.

22 (iii) The Department of Banking and Securities.

23 (iv) The Department of Community and Economic

24 Development.

25 (v) The Department of Conservation and Natural

26 Resources.

27 (vi) The Department of Corrections.

28 (vii) The Department of Drug and Alcohol Programs.

29 (viii) The Department of Education.

30 (ix) The Department of Environmental Protection.

- 1 (x) The Department of General Services.
- 2 (xi) The Department of Health.
- 3 (xii) The Department of Human Services.
- 4 (xiii) The Department of Labor and Industry.
- 5 (xiv) The Department of Military and Veterans
- 6 Affairs.
- 7 (xv) The Department of Revenue.
- 8 (xvi) The Department of State.
- 9 (xvii) The Department of Transportation.
- 10 (xviii) The Insurance Department.
- 11 (xix) The Pennsylvania State Police.
- 12 (xx) A board or commission of an entity enumerated
- 13 under this paragraph.

14 "Health disparities." Preventable differences in the burden
15 of disease, injury, violence or opportunities to achieve optimal
16 health that are experienced by a population in comparison to
17 another population.

18 "Health equity." The absence of unfair and avoidable or
19 remediable differences in health among population groups,
20 whether those population groups are defined socially,
21 economically, demographically or geographically.

22 "Independent agency." As follows:

23 (1) A board, commission, authority, agency or other
24 entity of the Commonwealth that is not subject to the policy
25 supervision and control of the Governor.

26 (2) The term includes:

27 (i) The Board of Claims.

28 (ii) The Pennsylvania Historical and Museum
29 Commission.

30 (iii) The Milk Marketing Board.

- 1 (iv) The Pennsylvania Crime Commission.
- 2 (v) The Pennsylvania Fish and Boat Commission.
- 3 (vi) The Pennsylvania Game Commission.
- 4 (vii) The Pennsylvania Higher Education Assistance
- 5 Agency.
- 6 (viii) The Pennsylvania Human Relations Commission.
- 7 (xix) The Pennsylvania Labor Relations Board.
- 8 (x) The Pennsylvania Liquor Control Board.
- 9 (xi) The Pennsylvania Public Utility Commission.
- 10 (xii) The Pennsylvania Turnpike Commission.
- 11 (xiii) The State Civil Service Commission.
- 12 (xiv) The State Ethics Commission.
- 13 (xv) The State Tax Equalization Board.
- 14 (xvi) An entity subject to the policy supervision
- 15 and control of an entity enumerated under this paragraph.

16 (3) The term does not include:

- 17 (i) The General Assembly or an office or agency of
- 18 the General Assembly.
- 19 (ii) A court or other agency of the unified judicial
- 20 system.

21 "Independent department." Any of the following:

- 22 (1) The Department of the Auditor General.
- 23 (2) The Treasury Department.
- 24 (3) The Office of Attorney General.
- 25 (4) A board or commission of an entity under paragraph
- 26 (1), (2) or (3).

27 "Municipality." As defined in 53 Pa.C.S. § 5602 (relating to

28 definitions).

29 "Office." The Office of Health Equity established under

30 section 3(a).

1 "Personal identifying information." A document,
2 photographic, pictorial or computer image of an individual or
3 fact used to establish identity, including a name, birth date,
4 Social Security number, driver's license number, nondriver
5 governmental identification number, telephone number, checking
6 account number, savings account number, student identification
7 number, employee or payroll number, residence address, mailing
8 address, email address or electronic signature.

9 "Private school." Any of the following:

10 (1) A private school licensed under the act of January
11 28, 1988 (P.L.24, No.11), known as the Private Academic
12 Schools Act.

13 (2) A private school accredited by an accrediting
14 association approved by the State Board of Education.

15 (3) A private school licensed under the act of December
16 15, 1986 (P.L.1585, No.174), known as the Private Licensed
17 Schools Act.

18 "Public entity." As follows:

19 (1) Any of the following:

20 (i) A Commonwealth agency.

21 (ii) A municipality.

22 (iii) A school entity.

23 (2) The term includes a contractor or subcontractor of
24 an entity specified in paragraph (1) that has entered into a
25 contract, purchase order or other procurement arrangement
26 with the entity and has received, is to receive or is
27 receiving public funds from the Commonwealth under the
28 contract, purchase order or other procurement arrangement.

29 "School entity." Any of the following:

30 (1) A school district of any class.

1 (2) A public school as defined in 24 Pa.C.S. § 8102
2 (relating to definitions).

3 (3) A nonpublic school as defined in section 923.3-A(b)
4 of the act of March 10, 1949 (P.L.30, No.14), known as the
5 Public School Code of 1949.

6 (4) A private school.

7 (5) An intermediate unit as described in Article IX-A of
8 the Public School Code of 1949.

9 (6) A charter school as defined in section 1703-A of the
10 Public School Code of 1949.

11 (7) A cyber charter school as defined in section 1703-A
12 of the Public School Code of 1949.

13 (8) A regional charter school as defined in section
14 1703-A of the Public School Code.

15 (9) An area career and technical school as described in
16 section 1841 of the Public School Code of 1949.

17 (10) An institution of higher education, including the
18 following:

19 (i) A university within the State System of Higher
20 Education under Article XX-A of the Public School Code of
21 1949.

22 (ii) The Pennsylvania State University, the
23 University of Pittsburgh, Temple University, Lincoln
24 University or any other institution designated as State-
25 related by the Commonwealth.

26 (iii) The Thaddeus Stevens College of Technology.

27 (iv) A community college under Article XIX-A of the
28 Public School Code of 1949.

29 (v) A college established under Article XIX-G of the
30 Public School Code of 1949.

1 (vi) An institution of higher education located in
2 and incorporated or chartered by the Commonwealth and
3 entitled to confer degrees as specified in 24 Pa.C.S. §
4 6505 (relating to power to confer degrees) and as
5 provided for by the standards and qualifications
6 prescribed by the State Board of Education under 24
7 Pa.C.S. Ch. 65 (relating to private colleges,
8 universities and seminaries).

9 (vii) A foreign corporation approved to operate an
10 educational enterprise under 22 Pa. Code Ch. 36 (relating
11 to foreign corporation standards).

12 "Secretary." The Secretary of Health of the Commonwealth.

13 "Social determinants of health." Nonmedical factors that
14 affect both the average and distribution of health within
15 populations, including distal determinants such as political,
16 legal, institutional and cultural factors, and proximal
17 determinants such as socioeconomic status, physical environment,
18 living and working conditions, immigration status, family and
19 social network, lifestyle or behavior and demographics.

20 Section 3. Establishment of office.

21 (a) Establishment and purpose.--The Office of Health Equity
22 is established within the department to facilitate the
23 advancement of health equity by reducing health disparities and
24 addressing the social determinants of health in this
25 Commonwealth.

26 (b) Staffing.--The office shall include a director of the
27 office and appropriate legal, information technology,
28 administrative and other support staff, including an
29 epidemiologist and a biostatistician.

30 Section 4. Powers and duties of office.

1 (a) Responsibilities.--The office shall have the following
2 powers and duties:

3 (1) Notwithstanding existing Federal and State law, to
4 collect data from public entities in accordance with the
5 purpose of the office.

6 (2) To seek Federal and State grants and any grants or
7 money that may be available from private organizations or
8 entities to carry out the powers and duties of the office.

9 (3) To enter into public-private partnerships as
10 necessary to carry out the powers and duties of the office.

11 (4) To research, develop, disseminate and advocate
12 public health strategies to address health disparities in
13 this Commonwealth.

14 (5) To advise the department in matters relating to
15 health disparities and health equity.

16 (6) To collaborate with State agencies, legislators,
17 policy makers, insurers, health care providers, community-
18 based organizations, academic institutions and other
19 entities, both public and private, to develop and implement
20 policies and programs that result in a measurable and
21 sustained improvement in health care access and health
22 outcomes of underserved and disparate populations in this
23 Commonwealth.

24 (7) To collect and analyze data to identify and track
25 health disparities in this Commonwealth.

26 (8) To assist in identifying the conditions and causes
27 of health disparities. The office shall, to the extent
28 practicable or feasible, consider social determinants of
29 health as contributing factors to health disparities.

30 (9) To coordinate research and scientific studies

1 regarding the epidemiology, sociological impact and strategy
2 development relating to health disparities.

3 (10) To develop and assist with the implementation of
4 policies to reduce health disparities.

5 (11) To recommend actions to address health disparities
6 that:

7 (i) Are data-driven, evidence-based and culturally
8 aware.

9 (ii) Address subpopulations with the highest levels
10 of disparity in health care access and outcomes,
11 including ways to reduce and eliminate disparities in
12 access to quality and affordable health care and health
13 outcomes based on race, ethnicity, gender, sex, sexual
14 orientation, national origin, disability status and
15 geographic location.

16 (iii) Include disparities related to:

17 (A) Cancers, including breast, lung, cervical,
18 prostate and colorectal cancer.

19 (B) Cardiovascular diseases, including coronary
20 heart disease and stroke.

21 (C) Pulmonary diseases, including asthma and
22 chronic obstructive pulmonary disease (COPD).

23 (D) Metabolic diseases, including diabetes,
24 cirrhosis and other diseases of the liver.

25 (E) Autoimmune diseases, including lupus and
26 multiple sclerosis.

27 (F) Infectious diseases, including COVID-19,
28 influenza, HIV/AIDS and hepatitis.

29 (G) Maternal morbidity, mortality and infant
30 health.

1 (H) Disability status.

2 (iv) Include disparities in access and outcomes
3 relating to behavioral health and mental health equity.

4 (12) To liaise with public entities and private entities
5 to engage in collaborative strategies to address health
6 disparities.

7 (13) To disseminate information on programs to reduce
8 and eliminate health disparities.

9 (14) To utilize assessment tools to improve racial and
10 cultural competency of health care providers.

11 (15) To increase public awareness of the existence of
12 health disparities.

13 (b) Reports.--The office shall prepare an annual report on
14 the status of health disparities in this Commonwealth and
15 strategies to address health disparities. The following apply:

16 (1) The report shall be made available through the
17 publicly accessible Internet website of the office.

18 (2) A copy of the report shall be submitted to:

19 (i) The head of each public entity that is subject
20 to this act.

21 (ii) The chairperson and minority chairperson of the
22 Health and Human Services Committee of the Senate.

23 (iii) The chairperson and minority chairperson of
24 the Health Committee of the House of Representatives.

25 (iv) The chairperson and minority chairperson of the
26 Human Services Committee of the House of Representatives.

27 (3) The report shall not contain personal identifying
28 information or other information that is protected from
29 disclosure under Federal or State law.

30 Section 5. Advisory committee.

1 (a) Establishment.--The Office of Health Equity Advisory
2 Committee is established within the office to provide advice and
3 guidance to the Governor and the secretary on programs,
4 activities and actions to address health disparities in this
5 Commonwealth.

6 (b) Membership.--The membership of the advisory committee
7 shall be at the discretion of the secretary and shall, at a
8 minimum, include representatives of academia, the provider
9 community, community-based organizations and representatives of
10 disparate populations.

11 (c) Duties.--The advisory committee shall have the following
12 duties, at a minimum:

13 (1) To advise the office on strategic priorities for the
14 elimination of health disparities.

15 (2) To regularly evaluate the effectiveness of actions
16 taken by the office and public entities to address health
17 disparities.

18 (3) To collaborate with public entities to develop
19 policies designed to eliminate health disparities.

20 Section 6. Responsibilities of public entities and others.

21 Each public entity shall cooperate with the office to enable
22 the office to carry out the powers and duties of the office and
23 provide any necessary data to the office, subject to
24 confidentiality standards and the protection of personal
25 identifying information as required by Federal and State law.
26 The following apply:

27 (1) The head of each public entity shall ensure that the
28 necessary data is provided to the office.

29 (2) A board, commission, authority, agency or other
30 entity of a public entity need not separately provide data to

1 the office if the head of the public entity is providing the
2 same data to the office.

3 Section 7. Protected information.

4 (a) Unauthorized use of data.--

5 (1) A person commits a misdemeanor of the third degree
6 if the person:

7 (i) intentionally or knowingly releases or otherwise
8 discloses data under this act to a person not authorized
9 to receive the data under this act; or

10 (ii) intentionally or knowingly releases or
11 otherwise discloses personal identifying information that
12 is protected by confidentiality standards under Federal
13 or State law.

14 (2) Except as provided in subsection (b), a person
15 commits a misdemeanor of the third degree if the person is an
16 unauthorized person who knowingly receives or possesses the
17 data or personal identifying information described in
18 paragraph (1).

19 (b) Return and notice.--If an unauthorized person
20 inadvertently or by error gains access to the data or personal
21 identifying information described in subsection (a)(2), the
22 person shall immediately return the data or personal identifying
23 information, without duplication, and notify the office in
24 writing of the improper receipt or possession.

25 Section 8. Effective date.

26 This act shall take effect in 60 days.