



June 24, 2024

Pennsylvania Health Insurance Exchange Authority  
 Attn: Ana Paulina Gomez, Chief Counsel  
 P.O. Box 536  
 Harrisburg, PA 17108

RE: Pennsylvania Health Insurance Exchange Authority d/b/a Pennie's® Proposed Regulation 130-1 package adding 31 Pa. Code Ch. 5001, Health Equity Accreditation

SUBMITTED VIA EMAIL TO PennieRegulations@pennie.com and anagomez@pa.gov

Dear Ms. Gomez,

The Accreditation Association for Ambulatory Health Care, Inc. (AAAHC) is an Illinois non-profit accreditation organization formed in 1979. We greatly appreciate the opportunity to review and submit comment on the proposed regulation 130-1 where the Pennsylvania Health Insurance Exchange Authority d/b/a Pennie® (Exchange Authority) proposes to add *Chapter 5001, Health Equity Accreditation*, to Title 31, Part L.

### About AAAHC

Since its inception, AAAHC has promoted a voluntary, consultative, peer-based, and educational accreditation process to advance patient care. These values hold true today, as embodied in our mission statement: *Improving health care quality through accreditation*. With more than 6,700 accredited organizations in a variety of ambulatory health care settings, AAAHC is a leader in developing Standards to advance and promote patient safety, quality care, and value for ambulatory health care through its accreditation programs, education, research, and other resources. Currently, more than 30 health plans are committed to excellence through AAAHC accreditation.

AAAHC is recognized as a health plan accreditor by several federal and state agency regulatory agencies including the CMS Center for Consumer Information and Insurance Oversight (CCIIO) for Qualified Health Plans (QHPs), the U.S Office of Personnel Management (OPM) for Federal Employee Health Benefits plans (FEHBs), the Florida Agency for Health Care Administration (AHCA) for Health Maintenance Organizations (HMOs) and prepaid health clinics, and various state health insurance oversight agencies in Arizona, Georgia, Illinois, Kansas, Louisiana, Minnesota, Missouri, Nevada, New Mexico, Oklahoma, and Pennsylvania. Other AAAHC-Accredited Organizations include Ambulatory Surgical Centers, Community Health Centers, Indian Health Centers, Student Health Centers, Medical Group Practices, and Office-based Surgery Centers.

### Request for Action

After reviewing the proposed text of new *Regulation 5001.5, Recognized Health Equity Accreditation Organizations*, AAAHC supports the ability for AOs to apply for health equity recognition to the Exchange Authority. However, we respectfully recommend that since the required health equity aspects can effectively exist within health plan accreditation programs without involving an additional and distinct program or certification, that this is made clear in the regulation. Additionally, AAAHC requests that, if there are specific parameters the Exchange Authority expects to be met under 5001.5(b)(5), that these parameters be specified within the final rule.

In accordance with the information above, AAAHC proposes the following textual updates:

#### **§ 5001.5. Recognized Health Equity Accreditation Organizations**

##### **(a) Process for Recognizing Health Equity Accreditation Organizations.**

- (1) An organization that seeks to qualify as a recognized health equity accreditation organization shall submit an application to the Exchange Authority to establish that its **health equity** accreditation program satisfies the criteria in subsection (b).

- (2) The organization shall submit its application to the Exchange Authority in a form and manner approved by the Exchange Authority.
- (3) The Exchange Authority shall review an organization's application for compliance with the requirements set forth in subsection (b).
- (4) The Exchange Authority may decline to approve, or terminate the approval of, an organization that does not satisfactorily comply with the requirements set forth in subsection (b).
- (5) If the Exchange Authority approves an organization's application, the organization shall, on annual basis from the date its application was approved:
  - (i) Submit a letter to the Exchange Authority attesting that its program has not changed and continues to meet the requirements under subsection (b); or
  - (ii) Submit a new application to the Exchange Authority if its program has changed.
- (6) If the Exchange Authority approves an organization's application, the Exchange Authority will publish on its website the organization's name in a list of ~~recognized health equity~~ accreditation organizations **recognized as meeting health equity requirements**.
- (b) ~~Recognized Health Equity~~ Accreditation Organizations **Recognized as Meeting Health Equity** Requirements. To be recognized ~~as a~~for health equity **in** accreditation ~~organization~~ by the Exchange Authority, an organization shall have an ~~health equity~~ accreditation program in the United States that:
  - (1) Educates applicants seeking accreditation about health equity to help them achieve a framework that advances health equity, expands coverage, and improves health outcomes for their customers regardless of their race, ethnicity, disability, sexual orientation, gender, socioeconomic status, geography or preferred language.
  - (2) Is conducted pursuant to a written plan and curriculum or manual.
  - (3) Includes, at a minimum, curriculum that covers the following topics:
    - (i) Diversity of the workforce of the applicant seeking accreditation.
    - (ii) Access and availability of language services.
    - (iii) Cultural awareness and responsiveness.
    - (iv) Reduction of healthcare disparities.
  - (4) Has instructors and administrators with education or certification in health equity education.
  - (5) Has specific parameters that the applicant seeking accreditation must meet prior to becoming accredited in health equity.
    - (i) **<Please list specific parameters expected, if applicable>**
  - (6) Has renewal criteria.
  - (7) Includes an ~~health equity~~ accreditation **or** certification that expires in no more than three years if renewal criteria are not satisfied.

Thank you for taking the time to respond to this request. AAAHC welcomes the opportunity for a conversation regarding health equity, quality and safety in health care facilities, and our accreditation programs with you at any time.

Sincerely,

/s/ Jacquelyn Edwards

Legal Analyst & Operations Manager