HOUSE DOCKET, NO. 1945 FILED ON: 1/20/2011

HOUSE . . . . . No. 1495

The Commonwealth of Massachusetts

PRESENTED BY:

Kay Khan

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act promoting patient engagement in health care decisions.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Kay Khan	*11th Middlesex*
Ruth B. Balser	*12th Middlesex*
William N. Brownsberger	☐ *[District]* ☐
Alice K. Wolf	*25th Middlesex*
Brian M. Ashe	*2nd Hampden*
Jason M. Lewis	*31st Middlesex*
Denise Provost	*27th Middlesex*

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HOUSE . . . . . No. 1495

By Ms. Khan of Newton, a petition (accompanied by bill, House, No. 1495) of Kay Khan and others promoting patient engagement in health care decisions. Public Health.

The Commonwealth of Massachusetts

An Act promoting patient engagement in health care decisions.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 111 of the General Laws is hereby amended by inserting after section 222 the following section:–

Section 223. (a) As used in this section, the following words shall have the following meanings:

"Shared decision-making," a collaborative process between patient and clinician that engages the patient in decision-making, provides patients with information about trade-offs among treatment options, and facilitates the incorporation of patient preferences and values into the medical plan.

"Patient decision aid," an educational tool that helps patients understand and communicate their beliefs and preferences related to their treatment options, and to decide with their health care provider what treatments are best for them based on their treatment options, scientific evidence, circumstances, beliefs and preferences.

(b) The department shall develop a plan for the optimal use of shared decision-making tools and patient decision aids in Massachusetts in order to ensure patients make fully informed decisions about medical care.

The plan shall include a list of conditions, to be reviewed and updated periodically by the Shared Decision-Making Advisory Committee, for which patient decision aids shall be used. The plan shall recommend standards for appropriate use and content of patient decision aids, based on the best available evidence and nationally-promulgated standards. For surgical procedures, such information shall include, at a minimum, information on survival rates, adverse effects, alternatives to surgery, percentage of patients needing the procedure again, and cost.

22 (c) The department shall establish a Shared Decision-Making Advisory Committee to
23 assist in developing the plan, reviewing the list of conditions, evaluating outcomes, and
24 recommending changes. The Shared Decision-Making Advisory Committee shall include at least
25 one consumer representative.

26 The department shall conduct an evaluation of the use of shared decision-making tools
27 and patient decision aids in Massachusetts on a regular basis, as determined by the Advisory
28 Committee.

29 (d) All insurers, including the MassHealth program established under chapter 118E and
30 the Commonwealth Care Health Insurance Program established under chapter 118H, shall
31 reimburse providers for the use of shared decision-making tools and patient decision aids.