

HOUSE BILL NO. 416

INTRODUCED BY S. REICHNER

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A BILL FOR AN ACT ENTITLED: "AN ACT CREATING THE MONTANA HEALTH CARE WORKFORCE DATA COLLECTION ACT; REQUIRING REPORTING OF DEMOGRAPHIC INFORMATION BY PHYSICIANS AND PHYSICIAN ASSISTANTS AS A CONDITION OF LICENSURE; ALLOWING THE INFORMATION TO BE SHARED WITH THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Short title.** [Sections 1 through 3] may be cited as the "Montana Health Care Workforce Data Collection Act".

NEW SECTION. **Section 2. Collection and reporting of data -- requirement for licensure -- confidentiality.** (1) The board shall collect information related to the physician and physician assistant workforce in Montana in order to evaluate whether Montanans have access to health care services based on the location where licensees are practicing, the medical specialties of the licensees, and the amount of time that licensees devote to patient care.

(2) At the time an individual applies to obtain or renew a license under Title 37, chapter 20, or this chapter, the board shall collect through electronic means information that includes at a minimum:

- (a) the applicant's gender and date of birth;
- (b) the applicant's employment and practice status, including but not limited to:
  - (i) active practices in Montana and other locations;
  - (ii) the area of practice, including areas of specialty;
  - (iii) the office, hospital, or clinical setting in which the applicant practices;
- (c) the applicant's education, training, and specialty and subspecialty board certification;
- (d) the locations where the applicant practices and the average number of hours the applicant works each week providing patient care at each location;
- (e) the average number of weeks the applicant worked during the past full year in the licensed

1 profession;

2 (f) the percentage of time the applicant spends engaged in direct patient care and in other activities,  
3 including but not limited to teaching, research, and administration in the licensed profession;

4 (g) the applicant's plan for practicing as a physician or physician assistant for the next 5 years, including  
5 any plan to retire from practice, move out of state, or increase or reduce working hours; and

6 (h) other data as proposed to and approved by the board.

7 (3) The board may not approve an application for a license or a renewal of a license for an applicant who  
8 fails to provide information as required under this section.

9 (4) The board shall report the information collected under this section to:

10 (a) the department of public health and human services provided for in 2-15-2201; and

11 (b) Montana professional associations representing physicians and physician assistants.

12 (5) (a) Except as provided in subsection (5)(b), the board may not release personally identifiable data  
13 collected under this section for any person licensed by the board.

14 (b) The provisions of subsection (5)(a) do not apply to the release of information to a state agency or a  
15 Montana medical professional association for state program, work force, or health planning purposes.

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17 **NEW SECTION. Section 3. Health care workforce database -- sharing and use of data.** (1) Subject  
18 to available funding, the department of public health and human services may create and maintain a database  
19 of health care workforce information collected by the board. The board shall provide the department with  
20 information collected pursuant to [sections 1 through 3] for the database.

21 (2) The department of public health and human services may contract or enter into other agreements  
22 with a private or public entity to:

23 (a) establish and maintain the database;

24 (b) analyze data contained in the database;

25 (c) develop reports to be used by the legislature, the governor, and the public related to health care  
26 workforce needs; and

27 (d) perform other activities to carry out the purposes of [sections 1 through 3].

28 (3) The department may seek federal and private funds to create and maintain the database.

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30 **NEW SECTION. Section 4. Codification instruction.** [Sections 1 through 3] are intended to be codified

1 as an integral part of Title 37, chapter 3, and the provisions of Title 37, chapter 3, apply to [sections 1 through 3].

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3 NEW SECTION. **Section 5. Effective date.** [This act] is effective July 1, 2013.

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