

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 13

Session of  
2007

INTRODUCED BY MUSTO, MELLOW, RAFFERTY, FONTANA, O'PAKE, WOZNIAK,  
LAVALLE, LOGAN AND KITCHEN, MAY 2, 2007

REFERRED TO BANKING AND INSURANCE, MAY 2, 2007

AN ACT

1 Amending Title 40 (Insurance) of the Pennsylvania Consolidated  
2 Statutes, providing for optional health insurance coverage  
3 for certain children.

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

6 Section 1. Title 40 of the Pennsylvania Consolidated  
7 Statutes is amended by adding a part to read:

8 PART IV

9 HEALTH CARE REFORM

10 Chapter

11 71. (Reserved)

12 72. Affordability

13 73. (Reserved)

14 74. (Reserved)

15 75. Miscellaneous Provisions

16 CHAPTER 71

17 (RESERVED)

18 CHAPTER 72

AFFORDABILITY

Sec.

7201. (Reserved).

7202. (Reserved).

7203. (Reserved).

7204. (Reserved).

7205. (Reserved).

7206. Health insurance coverage for certain children of insured  
parents.

7207. (Reserved).

7208. (Reserved).

§ 7201. (Reserved).

§ 7202. (Reserved).

§ 7203. (Reserved).

§ 7204. (Reserved).

§ 7205. (Reserved).

§ 7206. Health insurance coverage for certain children of  
insured parents.

(a) Option to cover certain children.--An insurer that  
issues, delivers, executes or renews health care insurance in  
this Commonwealth, under which coverage of a child would  
otherwise terminate at a specified age, shall, at the option of  
the child's parent or guardian, provide coverage to a child of  
the insured beyond that specified age, up through the age of 29,  
provided that the child meets all of the following requirements:

(1) Is not married.

(2) Has no dependents.

(3) Is a resident of this Commonwealth or is enrolled as  
a full-time student at an institution of higher education in  
this Commonwealth.



1 of a Commonwealth agency given authority to promulgate  
2 regulations under this part, rulemaking is needed for purposes  
3 of the safety of patients in this Commonwealth, the Commonwealth  
4 agency may promulgate a final-omitted regulation under the  
5 Regulatory Review Act.

6 § 7502. Enforcement.

7 (a) Determination of violation.--Upon a determination that a  
8 person licensed by the Insurance Department has violated any  
9 provision of this part, the department may, subject to 2 Pa.C.S.  
10 Chs. 5 Subch. A (relating to practice and procedure of  
11 Commonwealth agencies) and 7 Subch. A (relating to judicial  
12 review of Commonwealth agency action) do any of the following:

13 (1) Issue an order requiring the person to cease and  
14 desist from engaging in the violation.

15 (2) Suspend or revoke or refuse to issue or renew the  
16 certificate or license of the offending party or parties.

17 (3) Impose an administrative penalty of up to \$5,000 for  
18 each violation.

19 (4) Seek restitution.

20 (5) Impose any other penalty or pursue any other remedy  
21 deemed appropriate by the commissioner.

22 (b) Other remedies.--The enforcement remedies imposed under  
23 this section are in addition to any other remedies or penalties  
24 which be imposed by any other applicable statute, including the  
25 act of July 22, 1974 (P.L.589, No.205), known as the Unfair  
26 Insurance Practices Act. A violation by any person of this part  
27 is deemed an unfair method of competition and an unfair or  
28 deceptive act of practice under the Unfair Insurance Practices  
29 Act.

30 (c) No private cause of action.--Nothing in this part shall

1 be construed as to create or imply a private cause of action for  
2 violation of this part.

3 § 7503. Severability.

4 (a) General rule.--The provisions of this part are  
5 severable. If any provision of this part or its application to  
6 any person or circumstance is held invalid, the invalidity shall  
7 not affect other provisions or applications of this part which  
8 can be given effect without the invalid provision or  
9 application.

10 (b) (Reserved).

11 (c) (Reserved).

12 Section 2. This act shall take effect in 60 days.