

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 515 Session of  
1993

INTRODUCED BY SCANLON, LINCOLN, SHUMAKER, FISHER, LYNCH,  
SCHWARTZ, PECORA, O'PAKE, AFFLERBACH, WILLIAMS, REIBMAN,  
SHAFFER, MUSTO AND MELLOW, FEBRUARY 19, 1993

SENATOR FUMO, APPROPRIATIONS, RE-REPORTED AS AMENDED,  
MAY 11, 1993

## AN ACT

1 Amending Title 40 (Insurance) of the Pennsylvania Consolidated  
2 Statutes, adding provisions relating to speech-language  
3 pathologists, audiologists and teachers of persons who are  
4 hearing impaired.

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

7 Section 1. Sections 6302 and 6322(f) of Title 40 of the  
8 Pennsylvania Consolidated Statutes are amended to read:

9 § 6302. Definitions.

10 (a) General rule.--The following words and phrases when used  
11 in this chapter shall have, unless the context clearly indicates  
12 otherwise, the meanings given to them in this section:

13 "Ancillary health services." The general and usual services  
14 rendered and care administered by ancillary health service  
15 providers as defined herein.

16 "Ancillary health service providers." The following persons  
17 duly licensed or certified under the laws of this Commonwealth  
18 to provide ancillary health services: Clinical laboratory

1 permittees as defined in the act of September 26, 1951

2 (P.L.1539, No.389), known as The Clinical Laboratory Act.

3 "Chiropractic services." The general and usual services  
4 rendered and care administered by doctors of chiropractic, as  
5 defined in the act of August 10, 1951 (P.L.1182, No.264), known  
6 as the Chiropractic Registration Act of 1951.

7 "Dental service corporation." A corporation not-for-profit  
8 engaged in the business of maintaining and operating a nonprofit  
9 dental service plan.

10 "Dental services." The general and usual services rendered  
11 and care administered by doctors of dental surgery, as defined  
12 in the act of May 1, 1933 (P.L.216, No.76), known as The Dental  
13 Law.

14 "Department of Health." The Department of Health of the  
15 Commonwealth.

16 "General medical service corporation." A corporation not-  
17 for-profit engaged in the business of maintaining and operating  
18 a nonprofit professional health service plan.

19 "Health care facility." As defined in the act of July 19,  
20 1979 (P.L.130, No.48), known as the Health Care Facilities Act.

21 "Health service doctor." A doctor of dental surgery, doctor  
22 of medicine, doctor of optometry, doctor of osteopathy, doctor  
23 of podiatry, doctor of chiropractic, licensed physical  
24 therapist, certified registered nurse anesthetist, certified  
25 registered nurse practitioner, certified enterostomal therapy  
26 nurse, certified community health nurse, certified psychiatric  
27 mental health nurse, certified clinical nurse specialist [or],  
28 licensed psychologist, licensed speech-language pathologist,  
29 licensed audiologist or licensed teacher of persons who are  
30 hearing impaired.

1 "Income." Net income from gains, profits and net income  
2 derived from professions, vocations, trades, businesses,  
3 commerce or sales, or dealings in property, whether real or  
4 personal, growing out of the ownership or use of or interest in  
5 such property, also from interest, rent, dividends, securities,  
6 or the transaction of any business carried on for gain or  
7 profit, or gains or profits and income derived from any source  
8 whatever and income derived from salaries, wages or compensation  
9 for personal service of whatever kind and in whatever form paid.

10 "Low income." Low income as set forth in section 6325  
11 (relating to income status and effect).

12 "Medical services." The general and usual services rendered  
13 and care administered by doctors of medicine, as defined in the  
14 act of December 20, 1985 (P.L.457, No.112), known as the Medical  
15 Practice Act of 1985.

16 "Nonprofit dental service plan." A plan whereby for  
17 prepayment, periodical or lump sum payment dental services only  
18 may be provided to persons of low income or over-income and  
19 their dependents.

20 "Nonprofit optometric service plan." A plan whereby for  
21 prepayment, periodical or lump sum payment optometric services  
22 only may be provided to persons of low income and over-income  
23 and their dependents.

24 "Nonprofit professional health service plan." A plan whereby  
25 for prepayment, periodical or lump sum payment professional  
26 health services may be provided to persons of low income or  
27 over-income and their dependents. The term does not include a  
28 plan which is primarily a nonprofit dental service plan or a  
29 nonprofit optometric service plan.

30 "Optometric service corporation." A corporation not-for-

1 profit engaged in the business of maintaining and operating a  
2 nonprofit optometric service plan.

3 "Optometric services." The general and usual services  
4 rendered and care administered by doctors of optometry, as  
5 defined in the act of June 6, 1980 (P.L.197, No.57), known as  
6 the Optometric Practice and Licensure Act.

7 "Osteopathic services." The general and usual services  
8 rendered and care administered by doctors of osteopathy, as  
9 defined in the act of October 5, 1978 (P.L.1109, No.261), known  
10 as the Osteopathic Medical Practice Act.

11 "Over-income." Over-income as set forth in section 6325  
12 (relating to income status and effect).

13 "Person with dependents." Any person who furnishes other  
14 persons with their chief support, whether or not such dependent  
15 person is related to or living with him.

16 "Physical therapy services." The general and usual services  
17 rendered and care administered by licensed physical therapists,  
18 as defined as "physical therapy" in the act of October 10, 1975  
19 (P.L.383, No.110), known as the Physical Therapy Practice Act.

20 "Podiatry services." The general and usual services rendered  
21 and care administered by doctors of podiatry, as defined in the  
22 act of March 2, 1956 (1955 P.L.1206, No.375), known as the  
23 Podiatry Practice Act.

24 "Professional health service corporation." A dental service  
25 corporation, a general medical service corporation, or an  
26 optometric service corporation.

27 "Professional health services." **[Dental]** MEDICALLY NECESSARY <—  
28 DENTAL services, medical services, optometric services,  
29 osteopathic services, podiatry services, chiropractic services,  
30 physical therapy services, psychological services, speech-

1 language pathology services, audiology services, services of  
2 teachers of persons who are hearing impaired, certified  
3 registered nurse services provided by a certified registered  
4 nurse at any time except when the certified registered nurse is  
5 acting as an employee of a health care facility or of an  
6 anesthesiology group or any one or more of them.

7 "Psychological services." The general and usual services  
8 rendered and care administered by licensed psychologists as  
9 defined as the "practice of psychology" in the act of March 23,  
10 1972 (P.L.136, No.52), known as the Professional Psychologists  
11 Practice Act.

12 "Speech-language pathology services," "audiology services"  
13 and "services of teachers of persons who are hearing impaired."  
14 The general and usual services rendered and care administered by  
15 licensed speech-language pathologists, licensed teachers of  
16 persons who are hearing impaired or licensed audiologists, as  
17 defined in the act of December 21, 1984 (P.L.1253, No.238),  
18 known as the Speech-Language and Hearing Licensure Act.

19 "Subscribers of low income." Persons of low income who  
20 subscribe to a nonprofit professional health service plan, a  
21 nonprofit dental service plan[, ] or a nonprofit optometric  
22 service plan.

23 "Subscribers of over-income." Persons of over-income who  
24 subscribe to a nonprofit professional health service plan, a  
25 nonprofit dental service plan[, ] or a nonprofit optometric  
26 service plan.

27 (b) Rule of construction.--The definitions specified in  
28 subsection (a) are for the purposes of this chapter only[, ] and  
29 not for the purpose of defining dental practice, medical  
30 practice, optometric practice, osteopathic practice, podiatry

1 practice, chiropractic practice, physical therapy practice [or],  
2 psychological practice, speech-language pathology practice,  
3 audiology practice or the practice of teaching persons who are  
4 hearing impaired as such.

5 § 6322. Scope of service.

6 \* \* \*

7 (f) Legislative amendment of stated purposes of existing  
8 corporations.--The stated purposes of all existing general  
9 medical service corporations are hereby amended so as to include  
10 the furnishing of osteopathic, dental, optometric, podiatry,  
11 chiropractic, physical therapy [and], psychological, speech-  
12 language pathology and audiology services and the services of  
13 teachers of persons who are hearing impaired through doctors of  
14 osteopathy, dentistry, optometry, podiatry and chiropractic and  
15 through licensed physical therapists [and], psychologists,  
16 speech-language pathologists, audiologists and teachers of  
17 persons who are hearing impaired, respectively.

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