

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**HOUSE BILL**  
**No. 1067** Session of  
1999

INTRODUCED BY BELARDI, STABACK, BEBKO-JONES, JOSEPHS, THOMAS,  
GEORGE, YOUNGBLOOD, MYERS, PETRARCA, SURRA, WOJNAROSKI,  
SHANER, STURLA, TRICH, SCRIMENTI, TRELLO, M. COHEN, READSHAW,  
TIGUE, WALKO, MELIO, BELFANTI, RAMOS, DeLUCA, LAUGHLIN,  
HARHAI AND STEELMAN, MARCH 24, 1999

REFERRED TO COMMITTEE ON INSURANCE, MARCH 24, 1999

AN ACT

1 Mandating health insurance coverage for cancer screening  
2 programs.

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

5 Section 1. Declaration of policy.

6 The General Assembly finds and declares as follows:

7 (1) Many cancer prevention and early detection programs  
8 are proven to be cost effective and key to reducing cancer  
9 morbidity and mortality.

10 (2) Routine examination and screening programs increase  
11 the detection of early stage cancers.

12 (3) Awareness of one's proclivity to the onset of cancer  
13 may significantly increase the chance of survival.

14 Section 2. Definitions.

15 The following words and phrases when used in this act shall  
16 have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 "Genetic test." A test using deoxyribonucleic acid (DNA)  
3 extracted from an individual's cells in order to determine the  
4 presence of a genetic disease or disorder or the individual's  
5 predisposition for a particular genetic disease or disorder.

6 "Health insurance policy." Any individual or group health,  
7 sickness or accident policy or subscriber contract or  
8 certificate issued by an entity subject to any one of the  
9 following:

10 (1) The act of May 17, 1921 (P.L.682, No.284), known as  
11 The Insurance Company Law of 1921.

12 (2) The act of December 29, 1972 (P.L.1701, No.364),  
13 known as the Health Maintenance Organization Act.

14 (3) The act of May 18, 1976 (P.L.123, No.54), known as  
15 the Individual Accident and Sickness Insurance Minimum  
16 Standards Act.

17 (4) The act of December 14, 1992 (P.L.835, No.134),  
18 known as the Fraternal Benefit Societies Code.

19 (5) 40 Pa.C.S. Ch. 61 (relating to hospital plan  
20 corporations) or Ch. 63 (relating to professional health  
21 services plan corporations).

22 (6) Medical assistance.

23 Section 3. Mandated coverage.

24 A health insurance policy which is delivered, issued for  
25 delivery, renewed, extended or modified in this Commonwealth by  
26 a health care insurer shall provide that, among the health  
27 insurance benefits applicable under the policy, the policy shall  
28 include a cancer prevention and early detection component that  
29 includes, but is not necessarily limited to, genetic testing. An  
30 insurance company may not, however:

1           (1)   Require genetic testing.

2           (2)   Deny or revoke a policy because of genetic test  
3    results.

4           (3)   Increase policy premiums based on genetic test  
5    results.

6   Section 4.   Delivery of policy.

7       If a health insurance policy provides coverage or benefits to  
8   a resident of this Commonwealth, it shall be deemed to be  
9   delivered in this Commonwealth within the meaning of this act,  
10   regardless of whether the health care insurer issuing or  
11   delivering the policy is located within or outside this  
12   Commonwealth.

13   Section 5.   Repeals.

14       All acts and parts of acts are repealed insofar as they are  
15   inconsistent with this act.

16   Section 6.   Applicability.

17       This act shall apply to all insurance policies, subscriber  
18   contracts and group insurance certificates issued under any  
19   group master policy delivered or issued for delivery on or after  
20   the effective date of this act only to residents of this  
21   Commonwealth. This act shall also apply to all renewals of  
22   contracts on any renewal date which is on or after the effective  
23   date of this act.

24   Section 7.   Effective date.

25       This act shall take effect in 180 days.