

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 955 Session of 2001

INTRODUCED BY DeLUCA, BEBKO-JONES, BELARDI, BELFANTI, CAPPABIANCA, L. I. COHEN, COLAFELLA, GEIST, GRUCELA, HARHAI, JAMES, LAUGHLIN, MELIO, MYERS, ORIE, PALLONE, PRESTON, SCRIMENTI, SHANER, STABACK, TRAVAGLIO, WALKO, WASHINGTON, WATERS, J. WILLIAMS, WOJNAROSKI, YOUNGBLOOD, TRELLO, THOMAS, ZUG, FLEAGLE, FAIRCHILD, WATSON, HARPER, HANNA, HORSEY AND CREIGHTON, MARCH 14, 2001

AS REPORTED FROM COMMITTEE ON INSURANCE, HOUSE OF REPRESENTATIVES, AS AMENDED, MARCH 26, 2002

AN ACT

1 ~~Providing for certain health insurance policies to cover the~~ <—  
2 ~~cost of scalp hair prostheses.~~  
1 AMENDING THE ACT OF MAY 17, 1921 (P.L.682, NO.284), ENTITLED "AN <—  
2 ACT RELATING TO INSURANCE; AMENDING, REVISING, AND  
3 CONSOLIDATING THE LAW PROVIDING FOR THE INCORPORATION OF  
4 INSURANCE COMPANIES, AND THE REGULATION, SUPERVISION, AND  
5 PROTECTION OF HOME AND FOREIGN INSURANCE COMPANIES, LLOYDS  
6 ASSOCIATIONS, RECIPROCAL AND INTER-INSURANCE EXCHANGES, AND  
7 FIRE INSURANCE RATING BUREAUS, AND THE REGULATION AND  
8 SUPERVISION OF INSURANCE CARRIED BY SUCH COMPANIES,  
9 ASSOCIATIONS, AND EXCHANGES, INCLUDING INSURANCE CARRIED BY  
10 THE STATE WORKMEN'S INSURANCE FUND; PROVIDING PENALTIES; AND  
11 REPEALING EXISTING LAWS," PROVIDING CRANIAL HAIR VACUUM  
12 PROSTHESES COVERAGE STANDARDS FOR HEALTH INSURANCE POLICIES.  
13 The General Assembly of the Commonwealth of Pennsylvania  
14 hereby enacts as follows:  
15 ~~Section 1. Short title.~~ <—  
16 ~~This act shall be known and may be cited as the Scalp Hair~~  
17 ~~Prostheses Insurance Coverage Act.~~  
18 ~~Section 2. Declaration of policy.~~  
19 ~~The General Assembly finds and declares as follows:~~

1           ~~(1) Scalp hair prostheses are often prescribed for~~  
2           ~~cancer patients who sustain hair loss associated with~~  
3           ~~chemotherapy or persons afflicted with alopecia areata, a~~  
4           ~~genetic disorder affecting the autoimmune system.~~

5           ~~(2) Scalp hair prostheses minimize the emotional~~  
6           ~~devastation of hair loss, assist in body temperature~~  
7           ~~regulation and protect diseased sensitive skin from~~  
8           ~~ultraviolet radiation.~~

9           ~~Section 3. Definitions.~~

10          ~~The following words and phrases when used in this act shall~~  
11          ~~have the meanings given to them in this section unless the~~  
12          ~~context clearly indicates otherwise:~~

13          ~~"Alopecia areata." A microscopically inflammatory, patchy~~  
14          ~~loss of hair occurring in sharply defined areas and involving~~  
15          ~~the scalp.~~

16          ~~"Health insurance policy." Any individual or group health,~~  
17          ~~sickness and accident insurance policy, group health insurance~~  
18          ~~plans/policies, and all other forms of managed/capitated care~~  
19          ~~plans/policies or subscriber contract or certificate issued by~~  
20          ~~any entity subject to 40 Pa.C.S. Ch. 61 (relating to hospital~~  
21          ~~plan corporations) or 63 (relating to professional health~~  
22          ~~services plan corporations) or the act of May 17, 1921 (P.L.682,~~  
23          ~~No.284), known as The Insurance Company Law of 1921, the act of~~  
24          ~~December 29, 1972 (P.L.1701, No.364), known as the Health~~  
25          ~~Maintenance Organization Act, or the act of December 14, 1992~~  
26          ~~(P.L.835, No.134), known as the Fraternal Benefit Societies~~  
27          ~~Code, or providing hospital or medical/surgical coverage.~~

28          ~~"Insurer." Any entity that issues a health insurance policy.~~

29          ~~Section 4. Scalp hair prostheses insurance coverage.~~

30          ~~A health insurance policy which is delivered, issued for~~

1 ~~delivery, renewed, extended or modified in this Commonwealth by~~  
2 ~~an insurer shall provide that the health insurance benefits~~  
3 ~~applicable under the policy include coverage for the cost of~~  
4 ~~scalp hair prostheses for persons who sustain hair loss as a~~  
5 ~~result of cancer chemotherapy or alopecia areata.~~

6 ~~Section 5. 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 6. Cost sharing provisions.~~

14 ~~Benefits for scalp hair prostheses shall be subject to any~~  
15 ~~annual deductible, copayment and coinsurance provisions of a~~  
16 ~~health insurance policy to the extent that other medical~~  
17 ~~services covered by the policy are subject to those provisions.~~

18 ~~Section 7. Applicability.~~

19 ~~This act shall apply to health insurance policies issued~~  
20 ~~under any group master policy delivered or issued for delivery~~  
21 ~~on or after the effective date of this act. This act shall also~~  
22 ~~apply to all renewals of contracts on any renewal date which is~~  
23 ~~on or after the effective date of this act.~~

24 ~~Section 8. Effective date.~~

25 ~~This act shall take effect in 60 days.~~

26 SECTION 1. THE ACT OF MAY 17, 1921 (P.L.682, NO.284), KNOWN <—  
27 AS THE INSURANCE COMPANY LAW OF 1921, IS AMENDED BY ADDING A  
28 SECTION TO READ:

29 SECTION 635.2. CRANIAL HAIR VACUUM PROSTHESES INSURANCE  
30 COVERAGE.--(A) A HEALTH INSURANCE POLICY SHALL PROVIDE THAT THE

1 HEALTH INSURANCE BENEFITS APPLICABLE UNDER THE POLICY INCLUDE  
2 COVERAGE FOR THE COST OF A MEDICALLY NECESSARY CRANIAL HAIR  
3 VACUUM PROSTHESIS WHEN PRESCRIBED BY A PHYSICIAN FOR A PERSON  
4 WHO SUSTAINS HAIR LOSS AS A RESULT OF ALOPECIA TOTALIS OR  
5 ALOPECIA UNIVERSALIS.

6 (B) IF A HEALTH INSURANCE POLICY PROVIDES COVERAGE OR  
7 BENEFITS TO A RESIDENT OF THIS COMMONWEALTH, IT SHALL BE DEEMED  
8 TO BE DELIVERED IN THIS COMMONWEALTH WITHIN THE MEANING OF THIS  
9 SECTION, REGARDLESS OF WHETHER THE INSURER ISSUING OR DELIVERING  
10 THE POLICY IS LOCATED WITHIN OR OUTSIDE THIS COMMONWEALTH.

11 (C) BENEFITS FOR CRANIAL HAIR VACUUM PROSTHESES SHALL BE  
12 SUBJECT TO ANY ANNUAL DEDUCTIBLE, COPAYMENT AND COINSURANCE  
13 PROVISIONS OF A HEALTH INSURANCE POLICY TO THE EXTENT THAT OTHER  
14 MEDICAL SERVICES COVERED BY THE POLICY ARE SUBJECT TO THOSE  
15 PROVISIONS. A BENEFIT LIMIT OF ONE THOUSAND FIVE HUNDRED DOLLARS  
16 ONCE EVERY THREE (3) YEARS SHALL APPLY TO CRANIAL HAIR VACUUM  
17 PROSTHESES COVERED UNDER THIS SECTION.

18 (D) THIS SECTION SHALL APPLY TO ANY HEALTH INSURANCE POLICY  
19 OFFERED, ISSUED OR RENEWED ON OR AFTER THE EFFECTIVE DATE OF  
20 THIS SECTION IN THIS COMMONWEALTH: PROVIDED, THAT THIS SECTION  
21 SHALL NOT INCLUDE THE FOLLOWING POLICIES: ACCIDENT ONLY, FIXED  
22 INDEMNITY, LIMITED BENEFIT, CREDIT, DENTAL, VISION, SPECIFIED  
23 DISEASE, MEDICARE SUPPLEMENT, CHAMPUS (CIVILIAN HEALTH AND  
24 MEDICAL PROGRAM FOR THE UNIFORMED SERVICES) SUPPLEMENT, LONG-  
25 TERM CARE, DISABILITY INCOME, WORKERS' COMPENSATION OR  
26 AUTOMOBILE MEDICAL PAYMENT.

27 (E) AS USED IN THIS SECTION:

28 (1) "ALOPECIA TOTALIS" MEANS AN AUTOIMMUNE DISEASE RESULTING  
29 IN COMPLETE SCALP HAIR LOSS.

30 (2) "ALOPECIA UNIVERSALIS" MEANS AN AUTOIMMUNE DISEASE

1 RESULTING IN COMPLETE BODY HAIR LOSS.

2 (3) "CRANIAL HAIR VACUUM PROSTHESIS" MEANS A CUSTOM DESIGNED  
3 SYSTEM UTILIZING SPECIALIZED MATERIALS TO REPLACE HAIR LOSS DUE  
4 TO ALOPECIA TOTALIS OR ALOPECIA UNIVERSALIS.

5 (4) "HEALTH INSURANCE POLICY" MEANS ANY GROUP HEALTH,  
6 SICKNESS OR ACCIDENT POLICY OR SUBSCRIBER CONTRACT OR  
7 CERTIFICATE ISSUED BY AN ENTITY SUBJECT TO ONE (1) OF THE  
8 FOLLOWING:

9 (I) THIS ACT.

10 (II) THE ACT OF DECEMBER 29, 1972 (P.L.1701, NO.364), KNOWN  
11 AS THE "HEALTH MAINTENANCE ORGANIZATION ACT."

12 (III) 40 PA.C.S. CH. 61 (RELATING TO HOSPITAL PLAN  
13 CORPORATIONS) OR 63 (RELATING TO PROFESSIONAL HEALTH SERVICES  
14 PLAN CORPORATIONS).

15 (5) "INSURER" MEANS AN ENTITY THAT ISSUES A HEALTH INSURANCE  
16 POLICY.

17 SECTION 2. THIS ACT SHALL TAKE EFFECT IN 60 DAYS.