THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 845

Session of 2007

INTRODUCED BY HARHART, NAILOR, STERN, MAJOR, CONKLIN, CREIGHTON, CURRY, EVERETT, FABRIZIO, FAIRCHILD, GEIST, HARHAI, JAMES, M. KELLER, KIRKLAND, KOTIK, KULA, MACKERETH, MANDERINO, MANN, MILLARD, MUNDY, O'NEILL, PALLONE, PHILLIPS, PICKETT, REICHLEY, ROAE, RUBLEY, SANTONI, SAYLOR, SIPTROTH, SOLOBAY, R. STEVENSON, VULAKOVICH AND YOUNGBLOOD, MARCH 19, 2007

REFERRED TO COMMITTEE ON HEALTH AND HUMAN SERVICES, MARCH 19, 2007

AN ACT

- 1 Providing for a program relating to the treatment of human
- 2 papillomavirus, for powers and duties of the Department of
- 3 Health, for grants and for insurance coverage.
- 4 The General Assembly of the Commonwealth of Pennsylvania
- 5 hereby enacts as follows:
- 6 Section 1. Short title.
- 7 This act shall be known and may be cited as the Human
- 8 Papillomavirus (HPV) and Cervical Cancer Education, Immunization
- 9 and Prevention Act.
- 10 Section 2. Legislative findings.
- 11 The General Assembly finds and declares as follows:
- 12 (1) The American Cancer Society estimated that 9,710
- 13 women were diagnosed in 2006 with cervical cancer and more
- than 3,700 women died of the disease in the United States.
- 15 (2) Human papillomavirus (HPV) is a primary cause of
- 16 cervical cancer.

- 1 (3) HPV is the most common sexually transmitted
- 2 infection in the United States. Approximately half of those
- 3 who are infected with HPV are sexually active adolescents and
- 4 young adults between the ages of 15 and 24. For women, the
- 5 sexual activity of their partner is an important determinant
- of their risk of acquiring HPV.
- 7 (4) Each year more than 6.2 million people in the United
- 8 States acquire HPV, which is linked to cervical cancer in
- 9 high-risk cases.
- 10 (5) With regular and accurate screening, cervical cancer
- is highly preventable.
- 12 (6) Experience shows that increasing cervical cancer
- awareness among women, especially underserved women,
- significantly reduces the probability of mortality.
- 15 (7) New screening technologies offer new opportunities
- to finally eliminate cervical cancer through early
- 17 identification of women at increased risk.
- 18 (8) These technologies include testing approved by the
- 19 Food and Drug Administration (FDA) for HPV, the cause of
- 20 virtually all cervical cancers.
- 21 (9) The FDA has approved a vaccine for HPV for females 9
- 22 to 26 years of age to prevent cervical cancer caused by HPV.
- 23 (10) The HPV vaccine is most effective when administered
- 24 to young females before they become sexually active and are
- 25 at risk of contracting HPV.
- 26 (11) The National Immunization Program of the Centers
- 27 for Disease Control and Prevention (CDC) jointly with the
- Federal Advisory Committee on Immunization Practices (ACIP)
- 29 recommend that HPV vaccine be administered to females 11 to
- 30 12 years of age.

- 1 Section 3. Definitions.
- 2 The following words and phrases when used in this act shall
- 3 have the meanings given to them in this section unless the
- 4 context clearly indicates otherwise:
- 5 "Department." The Department of Health of the Commonwealth.
- 6 "HPV" or "human papillomavirus." A member of a family of
- 7 viruses that can cause abnormal tissue growth and other cellular
- 8 changes that greatly increase the risk of developing cervical
- 9 cancer.
- 10 Section 4. Legislative intent.
- It is the intent of the General Assembly to provide women and
- 12 the general public with information on HPV, including
- 13 transmission, risks, prevention and treatment of cervical cancer
- 14 and provide access to HPV vaccine to prevent cervical cancer in
- 15 women.
- 16 Section 5. Public awareness and education.
- 17 (a) Establishment.--The department shall establish the Human
- 18 Papillomavirus (HPV) and Cervical Cancer Education Program to
- 19 promote public awareness of the relation of HPV to cervical
- 20 cancer and the value of prevention, early detection, diagnosis
- 21 and treatment of both HPV and cervical cancer.
- 22 (b) Duties of department.--The department shall:
- 23 (1) Establish a public education and outreach campaign
- via written materials and brochures to promote awareness of
- 25 the relation of HPV to cervical cancer and enable individuals
- to make informed decisions about their health, including, but
- 27 not limited to:
- 28 (i) Causes, symptoms and means of transmission of
- 29 HPV.
- 30 (ii) Risk factors for cervical cancer and other

- 1 conditions resulting from HPV infection.
- 2 (iii) All available options for prevention,
- detection and treatment of HPV and cervical cancer.
- 4 (iv) The availability, effectiveness and risks of
- 5 HPV vaccine and where additional information can be
- 6 obtained.
- 7 (2) Develop printable educational materials and
- 8 brochures which shall be made available on the department's
- 9 Internet website to consumers and through schools, State and
- 10 local departments of health, hospitals, clinics and other
- 11 health care providers.
- 12 (c) Grant acceptance. -- The department may accept grants,
- 13 services and property from the Federal Government, foundations,
- 14 organizations and other entities as may be available to carry
- 15 out the provisions of this act.
- 16 Section 6. Availability of HPV vaccine.
- 17 (a) Prescription. -- HPV vaccine shall be made available to
- 18 females when prescribed by the female's physician.
- 19 (b) Consent for minors. -- HPV vaccine shall not be
- 20 administered to a minor under 18 years of age without written
- 21 consent of the minor's parent or guardian.
- 22 Section 7. Coverage for human papillomavirus vaccinations.
- 23 (a) Definition.--As used in this section, "health insurance
- 24 policies" means all group or individual health or sickness or
- 25 accident insurance policies providing hospital or
- 26 medical/surgical coverage and all group or individual subscriber
- 27 contracts or certificates issued by any entity subject to one of
- 28 the following:
- 29 (1) The act of May 17, 1921 (P.L.682, No.284), known as
- The Insurance Company Law of 1921.

- 1 (2) The act of December 29, 1972 (P.L.1701, No.364),
- 2 known as the Health Maintenance Organization Act.
- 3 (3) 40 Pa.C.S. Ch. 61 (relating to hospital plan
- 4 corporations).
- 5 (4) 40 Pa.C.S. Ch. 63 (relating to professional health
- 6 services plan corporations).
- 7 (b) Coverage. -- All health insurance policies offered, issued
- 8 or renewed after the effective date of this section shall
- 9 provide coverage for individuals between 11 and 26 years of age
- 10 to receive the vaccination against human papillomavirus.
- 11 (c) Exclusions. -- This section does not including the
- 12 following:
- 13 (1) accident only;
- 14 (2) limited benefit;
- 15 (3) credit;
- 16 (4) dental;
- 17 (5) vision;
- 18 (6) specified disease;
- 19 (7) Medicare supplement;
- 20 (8) Civilian Health and Medical Program of the Uniformed
- 21 Services (CHAMPUS) supplement;
- 22 (9) long-term care or disability income;
- 23 (10) worker's compensation;
- 24 (11) automobile medical payment; or
- 25 (12) any combination of hospital indemnity, accident
- only, fixed indemnity, credit, dental, vision, specified
- 27 disease, Medicare supplement, Civilian Health and Medical
- 28 Program of the Uniformed Services (CHAMPUS) supplement, long-
- term care or disability income, worker's compensation or
- 30 automobile medical payment insurance or other limited benefit

- 1 plan.
- 2 Section 8. Effective date.
- 3 This act shall take effect in 60 days.