

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2842 Session of 2022

INTRODUCED BY McNEILL, MILLARD, ZABEL, MADDEN, HILL-EVANS,
SAMUELSON, N. NELSON, HOHENSTEIN, BURGOS, KIM, SANCHEZ,
WELBY, DELLOSO, HENNESSEY, T. DAVIS, WARREN, KINSEY,
BIZZARRO, ISAACSON, HANBIDGE, ABNEY AND NEILSON,
SEPTEMBER 21, 2022

REFERRED TO COMMITTEE ON INSURANCE, SEPTEMBER 21, 2022

AN ACT

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," in casualty insurance, providing
12 for coverage for prostate cancer screening.

13 The General Assembly of the Commonwealth of Pennsylvania
14 hereby enacts as follows:

15 Section 1. The act of May 17, 1921 (P.L.682, No.284), known
16 as The Insurance Company Law of 1921, is amended by adding a
17 section to read:

18 Section 635.8. Coverage for Prostate Cancer Screening.--(a)
19 Except to the extent already covered under another policy, a
20 health insurance policy shall provide coverage for prostate
21 cancer screenings for covered individuals in accordance with

American Cancer Society guidelines for prostate cancer screening published as of January 1, 2022, and consistent with approved medical standards and practices. An insurer shall provide coverage for an annual prostate-specific antigen blood test and an annual digital rectal examination for a policyholder identified under subsection (b).

(b) The coverage required under this section shall be provided for all of the following:

(1) A policyholder who meets all of the following criteria:

(i) The policyholder is a man who is fifty (50) years of age or older.

(ii) The policyholder is expected to live at least ten (10) or more years;

(iii) The policyholder is diagnosed by a physician as having an average risk of prostate cancer.

(iv) The policyholder has been informed by a physician of the uncertainties, risks and potential benefits of prostate cancer screenings in accordance with American Cancer Society guidelines for prostate cancer screening published as of January 1, 2022.

(2) A policyholder who meets all of the following criteria:

(i) The policyholder is a man who is forty-five (45) years of age or older.

(ii) The policyholder is diagnosed by a physician as having a high risk of prostate cancer as determined by any of the following:

(A) The policyholder had one first-degree relative who had prostate cancer before attaining sixty-five (65) years of age.

(B) The policyholder is African American.

(C) The policyholder has any other indicator of a high risk

1 of prostate cancer.

2 (iii) The policyholder has been informed by a physician of
3 the uncertainties, risks and potential benefits of prostate
4 cancer screenings in accordance with American Cancer Society
5 guidelines for prostate cancer screening published as of January
6 1, 2022.

7 (3) A policyholder who meets all of the following criteria:

8 (i) The policyholder is a man who is forty (40) years of age
9 or older.

10 (ii) The policyholder has been diagnosed by a physician as
11 having a higher risk of prostate cancer by having more than one
12 first-degree relative who had prostate cancer before attaining
13 sixty-five (65) years of age.

14 (iii) The policyholder has been informed by a physician of
15 the uncertainties, risks and potential benefits of prostate
16 cancer screenings in accordance with American Cancer Society
17 guidelines for prostate cancer screening published as of January
18 1, 2022.

19 (c) The coverage required under this section shall be
20 subject to annual deductibles, coinsurance and copayment
21 requirements imposed by an insurer subject to this section for
22 similar coverages under the same health insurance policy or
23 contract.

24 (d) As used in this section, the following words and phrases
25 shall have the meanings given to them in this subsection:

26 "Digital rectal examination" means an internal examination of
27 the rectum that is performed by a health care provider for the
28 purpose of identifying body abnormalities.

29 "First-degree relative" means a father, brother or son.

30 "Health insurance policy" means a policy, subscriber

contract, certificate or plan issued by an insurer that provides medical or health care coverage. The term does not include:

(1) Accident only.

(2) Credit only.

(3) Long-term care or disability income.

(4) Specified disease.

(5) Medicare supplement.

(6) TRICARE, including a Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) supplement.

(7) Fixed indemnity.

(8) Dental only.

(9) Vision only.

(10) Workers' compensation.

(11) Automobile medical payment under 75 Pa.C.S. (relating to vehicles).

"Insurer" means an entity licensed by the Insurance Department with accident and health authority to issue a policy, subscriber contract, certificate or plan that provides medical or health care coverage that is offered or governed under any of the following:

(1) This act, including section 630 and Article XXIV.

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

(3) 40 Pa.C.S. Ch. 61 (relating to hospital plan corporations) or 63 (relating to professional health services plan corporations).

"Prostate cancer screening" means tests and other measures used to detect prostate cancer that adhere to the American Cancer Society guidelines on screening for prostate cancer published as of January 1, 2022.

1 "Prostate-specific antigen blood test" means a blood test
2 that measures the level of prostate-specific antigen in the
3 blood for the purpose of screening men for the occurrence of
4 prostate cancer.

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