

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 640

Session of  
1983

INTRODUCED BY GALLAGHER, CALTAGIRONE, CORDISCO, PHILLIPS, CAPPABIANCA, STUBAN, MISCEVICH, ALDERETTE, PETRARCA, COLE, CLARK, TRELLO, MORRIS, STEIGHNER, SEVENTY, PRESTON, GAMBLE, VAN HORNE, OLASZ, DUFFY, RYBAK, ANGSTADT, CIMINI, PRATT, McHALE, COY, PISTELLA, DOMBROWSKI, DeLUCA, SWIFT, COHEN, SWEET, KUKOVICH, TRUMAN, STEWART, ITKIN, WOZNIAK, DALEY, NOYE, COLAFELLA, F. E. TAYLOR, STEVENS, CARN, BOYES, BOWSER, TELEK, LUCYK, McCALL, BOOK, MARMION, CORNELL, O'BRIEN, OLIVER, EVANS, WILLIAMS, DEAL, RICHARDSON, HARPER, DONATUCCI, FEE, HASAY, GRUPPO, WAMBACH, PERZEL, MERRY, GEIST, PUNT, McVERRY, MRKONIC, RIEGER, McMONAGLE, CAWLEY, BELARDI, LESCOVITZ, BELFANTI, MURPHY, MICHLOVIC, WIGGINS, LETTERMAN, HUTCHINSON, LIVENGOOD, BROUJOS, BATTISTO, FREIND, KENNEDY, DeWEESE, SALOOM, FATTAH, KOSINSKI, GANNON, GRUITZA, GEORGE, DAWIDA, BELOFF, TIGUE, RUDY, MARKOSEK, W. W. FOSTER, McINTYRE, BURD, COWELL AND PETRONE, MARCH 23, 1983

AS REPORTED FROM COMMITTEE ON INSURANCE, HOUSE OF REPRESENTATIVES, AS AMENDED, MARCH 14, 1984

## AN ACT

1 Amending the act of August 12, 1971 (P.L.313, No.78), entitled  
2 "An act providing for elimination of discriminatory  
3 provisions relating to compensation for services and  
4 treatment under sickness and accident insurance contracts and  
5 providing for nondiscriminatory reimbursement of sickness and  
6 bodily injury claims thereunder," providing for the inclusion  
7 of nonprofit health insurance plans.

8 The General Assembly of the Commonwealth of Pennsylvania

9 hereby enacts as follows:

10 Section 1. Section 1 of the act of August 12, 1971 (P.L.313,  
11 No.78), entitled "An act providing for elimination of  
12 discriminatory provisions relating to compensation for services  
13 and treatment under sickness and accident insurance contracts

1 and providing for nondiscriminatory reimbursement of sickness  
2 and bodily injury claims thereunder," amended June 22, 1978  
3 (P.L.493, No.72), is amended to read:

4 Section 1. (a) Notwithstanding any provision of any policy  
5 of insurance, self-insured sickness, health and/or welfare plan  
6 ~~or nonprofit health insurance plan~~ A PROFESSIONAL HEALTH <—  
7 SERVICES PLAN CORPORATION AS DEFINED IN 40 PA.C.S. CH. 63  
8 (RELATING TO PROFESSIONAL HEALTH SERVICES PLAN CORPORATIONS)  
9 providing benefits issued or renewed after the effective date of  
10 this act, whenever such policy or plan provides for  
11 reimbursement for any service which may be legally performed by  
12 a person licensed under the laws of the Commonwealth for the  
13 practice of medicine, osteopathy, dentistry, chiropractic,  
14 podiatry, or physical therapy, reimbursement under such policy  
15 or plan shall not be denied when such service is rendered by a  
16 person so licensed.

17 SECTION 2. NO ADJUSTMENT IN RATES, PREMIUMS OR FEES, <—  
18 NECESSITATED BY THE PROVISIONS OF THIS ACT, SHALL BE MADE IN ANY  
19 SICKNESS AND ACCIDENT CONTRACT FOR A PERIOD OF ONE YEAR FROM THE  
20 EFFECTIVE DATE OF THIS ACT OR THE ANNIVERSARY DATE OF THE  
21 CONTRACT AS THEY ARE RENEWED AND ONLY THEN IF FOUND TO BE  
22 INDISPUTABLY SUBSTANTIATED BY ACTUARIAL REVIEW OF ALL RECORDS BY  
23 THE INSURANCE DEPARTMENT BASED UPON THE EXPERIENCE RATED  
24 FACTORS. A CONTRACT PURCHASER SHALL HAVE THE OPTION TO DROP ANY  
25 COVERAGE FOR A PARTICULAR SERVICE IF THE RATES, PREMIUMS OR FEES  
26 ARE INCREASED AS A RESULT OF SUCH STUDY CONDUCTED BY THE  
27 INSURANCE DEPARTMENT.

28 Section ~~2~~ 3. This act shall take effect immediately. <—