

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1396 Session of  
1993

INTRODUCED BY GREENLEAF, FISHER, HELFRICK, JONES AND PECORA,  
OCTOBER 20, 1993

REFERRED TO PUBLIC HEALTH AND WELFARE, OCTOBER 20, 1993

AN ACT

1 Establishing a public information and education program on  
2 diethylstilbestrol in the Department of Health; and providing  
3 for the powers and duties of the Department of Health and for  
4 certain health insurance policies.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the  
9 Diethylstilbestrol Public Information and Education Act.

10 Section 2. Definitions.

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

14 "Department." The Department of Health of the Commonwealth.

15 "Prenatal." In a stage of biological development which  
16 follows conception but precedes birth; in utero.

17 Section 3. Public information and education program.

18 (a) Purpose.--For the purpose of identifying persons who

1 have been exposed to the potential hazards and afflictions of  
2 diethylstilbestrol, sometimes called DES, while pregnant or  
3 prenatal and for the purpose of educating the public concerning  
4 the symptoms and early detection of associated malignancies and  
5 other abnormalities, the department shall establish, promote and  
6 maintain a public and professional information and education  
7 program on diethylstilbestrol.

8 (b) Information.--The program shall be conducted throughout  
9 this Commonwealth and shall include, but not be limited to, a  
10 concerted effort at reaching those persons or the offspring of  
11 those persons who have been exposed to diethylstilbestrol while  
12 pregnant or prenatal in order to encourage them to seek medical  
13 care for the screening, early detection or treatment and follow-  
14 up of any diethylstilbestrol-related condition. The program  
15 shall emphasize the need for examinations and the need to remain  
16 informed about additional developments concerning  
17 diethylstilbestrol.

18 (c) Regional screening.--The department shall designate and  
19 enter into contracts with health care providers for the purpose  
20 of establishing regional screening programs for  
21 diethylstilbestrol-exposed persons. In determining the provider  
22 with which to contract, the department shall consider the  
23 provider's compliance with standards mandated by Federal and  
24 State laws, the location of the provider in relation to the  
25 geographical distribution of persons exposed to  
26 diethylstilbestrol and the capacity of the provider to properly  
27 screen for breast cancer, vaginal cancer, cervical cancer,  
28 vaginal adenosis, testicular cancer and any other malignancy and  
29 abnormal conditions resulting from exposure to  
30 diethylstilbestrol.

1 (d) Contract terms and fees.--Each contract for a regional  
2 screening program shall be upon the terms and conditions as the  
3 department determines. However, the expenses incurred shall be  
4 reimbursed by the Commonwealth after applying against the total  
5 cost of screening and diagnosis the amounts received from third-  
6 party payers and less any fee charged each person receiving the  
7 services. The department shall determine a sliding fee scale  
8 based on the ability to pay.

9 (e) Training in detection.--Each health care provider that  
10 enters into a contract as provided for in this section shall  
11 conduct a training program in conjunction with the department  
12 for purposes of instructing physicians, physician assistants and  
13 nurses within the respective health services region in the  
14 screening, early detection and treatment of diethylstilbestrol-  
15 exposed persons.

#### 16 Section 4. Registry.

17 The department shall establish and maintain a registry of  
18 women who took diethylstilbestrol while pregnant and their  
19 offspring who were exposed to diethylstilbestrol while prenatal  
20 for the purpose of follow-up care and treatment of long-term  
21 problems associated with diethylstilbestrol exposure. Enrollment  
22 in the registry shall be upon a voluntary basis.

#### 23 Section 5. Agency cooperation.

24 The department may request and shall receive from any  
25 Commonwealth agency or political subdivision any assistance and  
26 data as will enable the department to properly carry out its  
27 activities under the provisions of this act.

#### 28 Section 6. Annual report.

29 The department shall make an annual report to the General  
30 Assembly of its findings and recommendations concerning the

1 effectiveness, impact and benefits derived from the program  
2 provided for under section 3. The report shall be delivered on  
3 or before the first day of February and shall contain an  
4 evaluation of the program and any proposal for legislation  
5 deemed necessary and proper.

6 Section 7. Insurance.

7 An individual or group health insurance policy shall not be  
8 denied or canceled or fail to be renewed, or excessive rates  
9 charged or restrictions or length of coverage imposed, because  
10 the insured person has been exposed to diethylstilbestrol while  
11 pregnant or prenatal.

12 Section 8. Regulations.

13 The department may adopt regulations to implement the  
14 provisions of this act.

15 Section 9. Effective date.

16 This act shall take effect immediately.