

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 635 Session of
2005

INTRODUCED BY TOMLINSON, PILEGGI, WONDERLING, REGOLA, LAVALLE,
RHOADES, MUSTO, GREENLEAF, TARTAGLIONE, COSTA, KASUNIC,
KITCHEN, O'PAKE, BOSCOLA, WAUGH, MELLOW, ROBBINS, D. WHITE,
LEMMOND, PIPPY, GORDNER, C. WILLIAMS, WOZNIAK, LOGAN, ORIE,
PUNT, A. WILLIAMS, SCARNATI, ERICKSON AND STACK,
APRIL 25, 2005

REFERRED TO BANKING AND INSURANCE, APRIL 25, 2005

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," mandating health insurance coverage
12 for colorectal 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 635.2. Coverage for Colorectal Cancer Screening.--
19 (a) Except to the extent already covered under another policy,
20 all health insurance policies as defined in this section shall
21 also provide coverage for colorectal cancer screening for

covered individuals in accordance with the most recently published American Cancer Society guidelines for colorectal cancer screening and consistent with approved medical standards and practices.

(1) Coverage for nonsymptomatic covered individuals who are fifty (50) years of age or older shall include, but not be limited to:

(i) An annual fecal occult blood test.

(ii) A sigmoidoscopy, a screening barium enema or a test consistent with approved medical standards and practices to detect colon cancer, at least once every five (5) years.

(iii) A colonoscopy at least once every ten (10) years.

(2) Coverage for symptomatic covered individuals shall include a colonoscopy, sigmoidoscopy or any combination of colorectal cancer screening tests at a frequency determined by a treating physician.

(3) Coverage for nonsymptomatic covered individuals who are at high or increased risk for colorectal cancer who are under fifty (50) years of age shall include a colonoscopy or any combination of colorectal cancer screening tests in accordance with the most recently published American Cancer Society guidelines on screening for colorectal cancer.

(b) The coverage required under this section shall be subject to annual deductibles, coinsurance and copayment requirements imposed by an entity subject to this section for similar coverages under the same health insurance policy or contract.

(c) For the purpose of this section:

(1) "Health insurance policy" means any individual or group health, sickness or accident policy or subscriber contract or

certificate issued by an entity subject to any one of the following:

(i) This act.

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

(iii) The act of May 18, 1976 (P.L.123, No.54), known as the "Individual Accident and Sickness Insurance Minimum Standards Act."

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

(v) Medical assistance.

The term does not include accident only, fixed indemnity, limited benefit, credit, dental, vision, specified disease, Medicare supplement, Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) supplement, long-term care or disability income, workers' compensation or automobile medical payment insurance.

(2) "Colonoscopy" means an examination of the rectum and the entire colon using a lighted instrument called a colonoscope.

(3) "Colorectal cancer screening" means any of the following procedures that are furnished to an individual for the purpose of early detection of colorectal cancer:

(i) Screening fecal-occult blood or fecal immunochemical test.

(ii) Screening flexible sigmoidoscopy.

(iii) Screening colonoscopy.

(iv) Screening barium enema.

(v) Screening test consistent with approved medical standards and practices to detect colon cancer.

1 (4) "Nonsymptomatic person at high or increased risk" means
2 an individual who poses a higher than average risk for
3 colorectal cancer according to the most recently published
4 American Cancer Society guidelines.

5 (5) "Symptomatic person" means an individual who experiences
6 a change in bowel habits, rectal bleeding or persistant stomach
7 cramps, weight loss or abdominal pain.

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