

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**SENATE BILL**

No. **719** Session of  
2009

INTRODUCED BY M. WHITE, PILEGGI, TARTAGLIONE, FONTANA, KITCHEN,  
ERICKSON, ALLOWAY, WILLIAMS, TOMLINSON, ROBBINS, RAFFERTY,  
COSTA, WOZNIAK, BROWNE, STOUT, YAW, KASUNIC, WAUGH, BRUBAKER,  
O'PAKE, BOSCOLA AND FERLO, APRIL 1, 2009

REFERRED TO BANKING AND INSURANCE, APRIL 1, 2009

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 health and accident insurance,  
12 further providing for coverage for mammographic examinations  
13 and ultrasound screenings of the breast.

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

16 Section 1. Section 632 of the act of May 17, 1921 (P.L.682,  
17 No.284), known as The Insurance Company Law of 1921, amended  
18 December 15, 1992 (P.L.1129, No.148), is amended to read:

19 Section 632. Coverage for Mammographic Examinations and  
20 Ultrasound Screenings of Breast.--(a) All group or individual  
21 health [or], sickness or accident insurance policies providing  
22 hospital or medical/surgical coverage and all group or

1 individual subscriber contracts or certificates issued by any  
2 entity subject to 40 Pa.C.S. Ch. 61 (relating to hospital plan  
3 corporations) or 63 (relating to professional health services  
4 plan corporations), this act, the act of December 29, 1972  
5 (P.L.1701, No.364), known as the "Health Maintenance  
6 Organization Act," [the act of July 29, 1977 (P.L.105, No.38),  
7 known as the "Fraternal Benefit Society Code,"] or an employe  
8 welfare benefit plan as defined in section 3 of the Employee  
9 Retirement Income Security Act of 1974 (Public Law 93-406, 29  
10 U.S.C. § 1001 et seq.) providing hospital or medical/surgical  
11 coverage shall also provide coverage for mammographic  
12 examinations and ultrasound screenings of the breast.

13 (b) The minimum coverage required shall include all costs  
14 associated with a mammogram or ultrasound screening of the  
15 breast every year for women 40 years of age or older and with  
16 any mammogram and ultrasound screening of the breast based on a  
17 physician's recommendation for women [under 40 years] of any  
18 age.

19 (c) Prior to payment for a screening mammogram and  
20 ultrasound screening of the breast, insurers shall verify that  
21 the screening mammography and ultrasound screening service  
22 provider is properly licensed by the department in accordance  
23 with the act of July 9, 1992 (P.L.449, No.93), known as the  
24 "Mammography Quality Assurance Act."

25 (d) Nothing in this section shall be construed to require an  
26 insurer to cover the surgical procedure known as mastectomy or  
27 to prevent application of deductible or copayment provisions  
28 contained in the policy or plan.

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