

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 596 Session of 2021

INTRODUCED BY ARGALL, J. WARD, SCAVELLO, PITTMAN, VOGEL,
SCHWANK, YUDICHAK AND HUTCHINSON, APRIL 21, 2021

REFERRED TO BANKING AND INSURANCE, APRIL 21, 2021

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 quality health care
12 accountability and protection, providing for chiropractors.

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 2167. Chiropractors.--(a) A health carrier may not
19 pay a chiropractor less for a service or procedure identified
20 under a particular physical medicine and rehabilitation code,
21 evaluation and management code or spinal manipulation code than
22 it pays any other licensed provider under the same or
23 substantially similar code. A carrier may not circumvent this

1 requirement by creating a chiropractic-specific-code.

2 (b) Health insurance plans may not do any of the following:

3 (1) Have more restrictive managed care practices for
4 chiropractic benefits for other health care services.

5 (2) Charge higher co-payments and other out-of-pocket
6 expenses for chiropractic coverage than for similar care
7 provided by other licensed providers.

8 (3) Put higher limitations on the number of visits or days
9 of coverage for chiropractor care than they do for other health
10 care providers.

11 (c) Notwithstanding any other provision of law, when any
12 health insurance policy, health care services plan or other
13 contract provides for the payment for medical expense benefits
14 or procedures, the policy, plan or contract shall be construed
15 to include payment to a chiropractor who provides the medical
16 service benefits or procedures which are within the scope of a
17 chiropractic physician's license. Any limitation or condition
18 placed upon payment to, or upon services, diagnosis or treatment
19 by, any licensed physician shall apply equally to all licensed
20 physicians without unfair discrimination to the usual and
21 customary treatment procedures of any class of physicians.

22 (d) Health carriers shall conform to the anti-discrimination
23 language contained in section 2706 of The Patient Protection and
24 Affordable Care Act (Public Law 111-148, 124 Stat. 119).

25 (e) The office of the Commissioner of the Insurance
26 Department may adopt rules necessary to implement this section.

27 (f) Health carriers or health care plans found in violation
28 of this section shall be subject to review and appropriate
29 penalties imposed by the Pennsylvania Insurance Department
30 including possible non-renewal of licenses.

1 Section 2. This act shall take effect in 90 days.