
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1914 Session of
1999

INTRODUCED BY LYNCH, BARRAR, BELARDI, BELFANTI, CORRIGAN,
DeLUCA, GEORGE, HARHAI, JOSEPHS, MELIO, ROEBUCK, SHANER,
STEELMAN, TRAVAGLIO, TRELLO, WOJNAROSKI AND YOUNGBLOOD,
OCTOBER 4, 1999

REFERRED TO COMMITTEE ON INSURANCE, OCTOBER 4, 1999

AN ACT

1 Providing for certain health insurance policies to cover the
2 cost of prescription drugs following major surgery.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Prescription
7 Drug Insurance Coverage Act.

8 Section 2. Definitions.

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

12 "Health insurance policy." Except for specified disease and
13 accident-only policies, a group health insurance policy,
14 contract or any individual policy, contract or plan with
15 coverage for prescription drugs which provides medical coverage
16 on an expense-incurred service or prepaid basis. The term
17 includes the following:

(1) A health insurance policy or contract issued by a nonprofit corporation subject to 40 Pa.C.S. Chs. 61 (relating to hospital plan corporations) and 63 (relating to professional health services plan corporations) and the act of December 14, 1992 (P.L.835, No.134), known as the Fraternal Benefit Societies Code.

(2) A health service plan operating under the act of December 29, 1972 (P.L.1701, No.364), known as the Health Maintenance Organization Act.

Section 3. Prescription Drug Insurance Coverage.

(a) General rule.--Except as provided in section 4, a health insurance policy which is delivered, issued for delivery, renewed, extended or modified in this Commonwealth by any health care insurer shall provide that the health insurance benefits applicable under the policy include coverage for the cost of prescription drugs for a period of one year following major surgery, as medically necessary, as administered under the direction of a physician.

(b) Delivery of policy.--For purposes of this section, a health insurance policy that provides coverage or benefits to a resident of this Commonwealth shall be deemed to be delivered in this Commonwealth regardless of whether the health care insurer issuing or delivering the policy is located within or outside this Commonwealth.

Section 4. Exemption.

This act shall not be construed to require a health insurance policy to include coverage if all of the following apply:

(1) The individual is employed outside this Commonwealth.

(2) The individual's employer maintains a health

1 insurance policy for the individual as an employment benefit.

2 Section 5. Cost-sharing provisions.

3 Benefits for prescription drugs under this act shall be
4 subject to copayment and coinsurance provisions of a health
5 insurance policy to the extent that other medical services
6 covered by the policy are subject to those provisions.

7 Section 6. Regulations.

8 The Department of Health and the Insurance Department shall
9 jointly promulgate regulations to administer this act.

10 Section 7. Applicability.

11 This act shall apply to all insurance policies, subscriber
12 contracts and group insurance certificates issued under any
13 group master policy delivered or issued for delivery on or after
14 the effective date of this act. This act shall also apply to all
15 renewals of contracts on any renewal date which is on or after
16 the effective date of this act.

17 Section 8. Effective date.

18 This act shall take effect in 180 days.