AN ACT

Amending the act of May 17, 1921 (P.L.682, No.284), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," in casualty insurance, providing for COVID-19 care coverage.

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

Section 1. The act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, is amended by adding a section to read:

Section 635.8. COVID-19 Care Coverage.--(a) A health insurance policy or government program covered under this section that is offered, issued or renewed in this Commonwealth shall include coverage for, and waive cost-sharing requirements related to, medically necessary COVID-19 diagnosis, COVID-19
treatment and COVID-19 prevention.

(b) This section shall expire one year after termination or expiration of the COVID-19 disaster emergency.

(c) The following words and phrases when used in this section shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Cost-sharing." The share of costs covered by the patient, including, but not limited to, deductibles, coinsurance and copayments or similar charges. The term does not include the payment of health insurance policy premiums.

"COVID-19." The novel coronavirus as identified in the COVID-19 disaster emergency.

"COVID-19 diagnosis." In vitro diagnostic and antibody tests authorized or approved by the United States Food and Drug Administration for COVID-19 in a manner which complies with the rules, regulations or guidelines established by the Centers for Disease Control and Prevention. The term does not mean testing required for employment.

"COVID-19 disaster emergency." The declaration of disaster emergency issued by the Governor on March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020), and any renewal of the state of disaster emergency.

"COVID-19 prevention." Injectable medications, biologicals or immunizations authorized or approved by the United States Food and Drug Administration for COVID-19 in a manner which complies with the rules, regulations or guidelines established by the Centers for Disease Control and Prevention.

"COVID-19 treatment." Medical therapeutics approved by the United States Food and Drug Administration for COVID-19 in a manner which complies with the rules, regulations or guidelines established by the Centers for Disease Control and Prevention.
established by the Centers for Disease Control and Prevention.

"Government program." Any of the following:

(1) The Commonwealth's medical assistance program established under the act of June 13, 1967 (P.L.31, No.21), known as the Human Services Code.

(2) The Commonwealth's Children's Health Insurance Program under Article XXIII-A of this act.

"Health insurance policy." A policy, subscriber contract, certificate or plan issued by an insurer that provides medical or health care coverage. The term does not include:

(1) Accident only.

(2) Credit only.

(3) Long-term care or disability income.

(4) Specified disease.

(5) Medicare supplement.

(6) Tricare, including a Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) supplement.

(7) Fixed indemnity.

(8) Dental only.

(9) Vision only.

(10) Workers' compensation.

(11) Automobile medical payment under 75 Pa.C.S. (relating to vehicles).

"Insurer." An entity that holds a valid license by the Insurance Department with accident and health authority to issue a health insurance policy and governed under any of the following:

(1) This act, including section 630.

(3) 40 Pa.C.S. Chs. 61 (relating to hospital plan corporations) and 63 (relating to professional health services corporations).

Section 2. This act shall take effect immediately.