

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 607

Session of  
1985

INTRODUCED BY ARTY, PRATT, E. Z. TAYLOR, HASAY, ITKIN, FEE,  
PERZEL, COHEN, AFFLERBACH, BATTISTO, JOHNSON, LETTERMAN,  
GRUPPO, LINTON, CALTAGIRONE, NAHILL, HARPER, BELARDI,  
SEVENTY, LUCYK, MICHLOVIC, SEMMEL, DURHAM, BURD, KUKOVICH,  
MERRY, PUNT, CIVERA, JOSEPHS, PRESSMANN, LASHINGER, STABACK,  
KOSINSKI, BLAUM, TIGUE, VEON, FREEMAN, CAWLEY, MILLER,  
McCALL, TRUMAN, DUFFY, COLE, CARN, ANGSTADT, TRELLO,  
GREENWOOD, RAYMOND, HAGARTY, BOOK, JAROLIN, OLIVER, GRUITZA,  
DONATUCCI, POTT, DAWIDA, IRVIS AND VAN HORNE, MARCH 18, 1985

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF  
REPRESENTATIVES, AS AMENDED, JUNE 11, 1986

## AN ACT

1 Providing for reimbursement by insurance companies, professional  
2 health service plan corporations, fraternal benefit societies  
3 and voluntary nonprofit health service plans for service  
4 performed by a registered nurse; and providing further duties  
5 of the Insurance Department.

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

8 Section 1. Short title.

9 This act shall be known and may be cited as the Insurance  
10 Payment to Registered Nurse Law.

11 Section 2. Definitions.

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

15 "Department." The Insurance Department of the Commonwealth.

1 Section 3. Policies and contracts covered.

2 (a) Coverage enumerated.--This act shall apply to every  
3 group ~~or individual~~ policy, contract or certificate issued <—  
4 thereunder, of health, sickness or accident insurance delivered  
5 or issued for delivery within the Commonwealth including, but  
6 not limited to, policies, contracts or certificates issued by:

7 (1) Any stock insurance company as described in section  
8 202(c)(4) and (11) and any mutual insurance company as  
9 described in section 202(d)(1) of the act of May 17, 1921  
10 (P.L.682, No.284), known as The Insurance Company Law of  
11 1921.

12 (2) Any hospital plan corporation as defined in 40  
13 Pa.C.S. Ch. 61 (relating to hospital plan corporations).

14 (3) Any professional health services plan corporation as  
15 defined 40 Pa.C.S. Ch. 63 (relating to professional health  
16 services plan corporations).

17 (4) Any fraternal benefit society as defined in 40  
18 Pa.C.S. Ch. 65 (relating to fraternal benefits societies).

19 (5) Any voluntary nonprofit health service plan as  
20 defined in the act of December 29, 1972 (P.L.1701, No.364),  
21 known as the Health Maintenance Organization Act.

22 (6) Any person who sells or issues contracts or  
23 certificates of insurance which meet the requirements of this  
24 act.

25 (b) Application of act.--This act shall apply to policies,  
26 contracts or certificates issued, renewed, modified, altered,  
27 amended or reissued on and after the effective date of this act.

28 Section 4. Scope of coverage.

29 (a) General rule.--When a service is performed by a  
30 certified registered nurse anesthetist, certified registered

1 nurse practitioner, certified enterostomal therapy nurse,  
2 certified community health nurse, certified psychiatric mental  
3 health nurse, or certified clinical nurse specialist, certified  
4 by the State Board of Nurse Examiners or a national nursing  
5 organization recognized by the State Board of Nurse Examiners  
6 and lawfully permitted to perform that service under the act of  
7 May 22, 1951 (P.L.317, No.69), known as The Professional Nursing  
8 Law, and a policy, contract or certificate provides for  
9 reimbursement for that service, the insured or any other person  
10 covered shall be entitled to reimbursement either to the insured  
11 or to the registered professional nurse providing that service.  
12 This section does not apply to usual and customary nursing  
13 services provided to patients in health care facilities as the  
14 term "health care facilities" is defined in the act of July 19,  
15 1979 (P.L.130, No.48), known as the Health Care Facilities Act.

16 (b) Application of reimbursement process.--Nothing in this  
17 section shall apply to the assignment of benefits and payment of  
18 claims process of a stock insurance company and a mutual  
19 insurance company as set forth in section 3(a)(1).

20 (c) Nonduplication of payments.--Duplicate payments shall  
21 not be made to either:

22 (1) both a nurse provider as set forth in subsection (a)  
23 and another provider; or

24 (2) to the same provider  
25 for the same services provided in a single encounter.

26 Section 5. Rules and regulations.

27 The department shall, in the manner provided by law,  
28 promulgate the rules, regulations and forms necessary to carry  
29 out this act. Following publication of the initial set of  
30 proposed regulations in the Pennsylvania Bulletin, but prior to

1 their formal adoption, the department shall hold public hearings  
2 thereon.

3 Section 6. Construction of act.

4 Nothing in this act shall be deemed to affect or impair the  
5 act of May 22, 1951 (P.L.317, No.69), known as The Professional  
6 Nursing Law, nor to confer upon any public or private  
7 organization or agency the power to interpret or enforce this  
8 act, except as may be provided for therein.

9 Section 7. Effective date.

10 This act shall take effect in 90 days.