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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL**

**No. 176**      Session of  
1997

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INTRODUCED BY HOLL, JANUARY 21, 1997

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REFERRED TO BANKING AND INSURANCE, JANUARY 21, 1997

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AN ACT

1 Providing mastectomy coverage standards for health insurance  
2 policies.

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 Mastectomy  
7 Coverage Standards 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." Any individual or group health  
13 insurance policy, contract or plan which provides medical or  
14 health care coverage by any health care facility or licensed  
15 health care provider on an expense-incurred service or prepaid  
16 basis and which is offered by or is governed under any of the  
17 following:

1 Act of May 17, 1921 (P.L.682, No.284), known as The  
2 Insurance Company Law of 1921.

3 Subarticle (f) of Article IV of the act of June 13, 1967  
4 (P.L.31, No.21), known as the Public Welfare Code.

5 Act of December 29, 1972 (P.L.1701, No.364), known as the  
6 Health Maintenance Organization Act.

7 Act of May 18, 1976 (P.L.123, No.54), known as the  
8 Individual Accident and Sickness Insurance Minimum Standards  
9 Act.

10 Act of December 14, 1992 (P.L.835, No.134), known as the  
11 Fraternal Benefit Societies Code.

12 A nonprofit corporation subject to 40 Pa.C.S. Chs. 61  
13 (relating to hospital plan corporations) and 63 (relating to  
14 professional health services plan corporations).

15 "Insurer." Any entity that issues an individual or group  
16 health insurance policy, contract or plan described under the  
17 definition of "health insurance policy" in this section.

18 Section 3. Mastectomy coverage standards.

19 (a) General rule.--

20 (1) No health insurance policy delivered, issued,  
21 executed or renewed in this Commonwealth on or after the  
22 effective date of this act shall require outpatient care  
23 following a mastectomy performed in a health care facility.

24 (2) Policies described in paragraph (1) shall provide  
25 coverage for inpatient care following a mastectomy for the  
26 length of stay that the treating physician determines is  
27 necessary to meet generally accepted criteria for safe  
28 discharge.

29 (3) Coverage under this act shall, however, remain  
30 subject to any copayment, coinsurance or deductible amounts

1 set forth in the policy.

2 (b) Exceptions.--This act shall not apply to policies  
3 covering accident only, limited benefit, credit, dental, vision,  
4 specified disease, Medicare supplement, Civilian Health and  
5 Medical Program of the Uniformed Services (CHAMPUS) supplement,  
6 long-term care or disability income, workers' compensation or  
7 automobile medical payment.

8 Section 4. Effective date.

9 This act shall take effect in 90 days.