

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2902 Session of
2002

INTRODUCED BY L. I. COHEN, RUBLEY, BEBKO-JONES, BELFANTI,
CAWLEY, CORRIGAN, DALEY, FRANKEL, HARHAI, HARPER, JAMES,
JOSEPHS, LAUGHLIN, McILHATTAN, MELIO, S. MILLER, PISTELLA,
SCRIMENTI, STURLA, E. Z. TAYLOR, J. TAYLOR, THOMAS, TIGUE,
TRAVAGLIO, WATSON, WILT AND YOUNGBLOOD, OCTOBER 8, 2002

REFERRED TO COMMITTEE ON INSURANCE, OCTOBER 8, 2002

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," providing for traumatic brain
12 injury coverage.

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 635.2. Traumatic Brain Injury Coverage.--(a) As
19 used in this section, "health insurance policy" means any group
20 health, sickness or accident policy or subscriber contract or
21 certificate issued by an entity subject to one (1) of the

1 following:

2 (1) This act.

3 (2) The act of December 29, 1972 (P.L.1701, No.364), known
4 as the "Health Maintenance Organization Act."

5 (3) 40 Pa.C.S. Ch. 61 (relating to hospital plan
6 corporations) or 63 (relating to professional health services
7 plan corporations).

8 (b) This section shall apply to any health insurance policy
9 offered, issued or renewed on or after the effective date of
10 this section in this Commonwealth to groups of fifty (50) or
11 more employees: Provided, That this section shall not include the
12 following policies: accident only, fixed indemnity, limited
13 benefit, credit, dental, vision, specified disease, Medicare
14 supplement, CHAMPUS (Civilian Health and Medical Program for the
15 Uniformed Services) supplement, long-term care, disability
16 income, workers' compensation or automobile medical payment.

17 (c) Health insurance policies covered under this section may
18 not limit or exclude coverage for cognitive therapy,
19 neuropsychological testing or treatment, or community
20 reintegration activities necessary as a result of a traumatic
21 brain injury.

22 (d) Issuers of health insurance policies that require
23 precertification of coverage shall provide to personnel
24 responsible for such precertification training designed to
25 prevent precertification of coverage required under this section
26 from being erroneously denied based on a determination that the
27 benefits for which precertification of coverage is requested are
28 psychiatric benefits rather than medical benefits.

29 Section 2. This act shall take effect in 60 days.