

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2902 Session of
2004

INTRODUCED BY McILHATTAN, HARHART, BELARDI, BROWNE, BUNT,
CAPPELLI, CAUSER, CAWLEY, S. E. CORNELL, COSTA, CRAHALLA,
CURRY, DALEY, DALLY, DONATUCCI, FABRIZIO, FREEMAN, GEORGE,
GOODMAN, GRUCELA, HERSHEY, HESS, HORSEY, HUTCHINSON, JAMES,
JOSEPHS, LAUGHLIN, LEACH, LEDERER, LEVDANSKY, MACKERETH,
MANDERINO, McGEEHAN, PALLONE, PISTELLA, READSHAW, REICHLEY,
ROEBUCK, RUBLEY, SCRIMENTI, SHANER, STABACK, T. STEVENSON,
SURRA, E. Z. TAYLOR, TIGUE, TRAVAGLIO, WALKO, WASHINGTON,
WEBER, WOJNAROSKI AND YOUNGBLOOD, OCTOBER 7, 2004

REFERRED TO COMMITTEE ON INSURANCE, OCTOBER 7, 2004

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 coverage for breast
12 cancer screening examinations.

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

15 Section 1. Section 632 of the act of May 17, 1921 (P.L.682,
16 No.284), known as The Insurance Company Law of 1921, amended
17 December 15, 1992 (P.L.1129, No.148), is amended to read:

18 Section 632. Coverage for [Mammographic] Breast Cancer
19 Screening Examinations.--All group or individual health or

1 sickness or accident insurance policies providing hospital or
2 medical/surgical coverage and all group or individual subscriber
3 contracts or certificates issued by any entity subject to 40
4 Pa.C.S. Ch. 61 (relating to hospital plan corporations) or 63
5 (relating to professional health services plan corporations),
6 this act, the act of December 29, 1972 (P.L.1701, No.364), known
7 as the "Health Maintenance Organization Act," the act of July
8 29, 1977 (P.L.105, No.38), known as the "Fraternal Benefit
9 Society Code," or an employe welfare benefit plan as defined in
10 section 3 of the Employee Retirement Income Security Act of 1974
11 (Public Law 93-406, 29 U.S.C. § 1001 et seq.) providing hospital
12 or medical/surgical coverage shall also provide coverage for
13 [mammographic examinations] breast cancer screening
14 examinations. The minimum coverage required shall include all
15 costs associated with [a mammogram] mammography, ultrasound,
16 sonogram and magnetic resonance imaging testing every year for
17 women [40] 20 years of age or older, [and with any mammogram
18 based on a physician's recommendation for women under 40 years
19 of age.] Prior to payment for a screening mammogram, insurers
20 shall verify that the screening mammography service provider is
21 properly licensed by the department in accordance with the act
22 of July 9, 1992 (P.L.449, No.93), known as the "Mammography
23 Quality Assurance Act." Nothing in this section shall be
24 construed to require an insurer to cover the surgical procedure
25 known as mastectomy or to prevent application of deductible or
26 copayment provisions contained in the policy or plan.
27 Section 2. This act shall take effect in 60 days.