

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 360 Session of
2005

INTRODUCED BY DALLY, CREIGHTON, DERMODY, FREEMAN, GEIST,
GRUCELA, McILHATTAN, REICHLEY, SEMMEL, THOMAS, WALKO, WILT,
YOUNGBLOOD AND WANSACZ, FEBRUARY 8, 2005

REFERRED TO COMMITTEE ON INSURANCE, FEBRUARY 8, 2005

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 medical nutrition
12 therapy coverage requirements for health insurance policies.

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. Coverage for Medical Nutrition Therapy.--(a)
19 An individual or group health, sickness and accident insurance
20 policy, group health insurance plan or policy and any other form
21 of managed/capitated care plan or policy or subscriber contract
22 or certificate issued by any entity subject to 40 Pa.C.S. Ch. 61

1 (relating to hospital plan corporations) or 63 (relating to
2 professional health services plan corporations) or the act of
3 December 29, 1972 (P.L.1701, No.364), known as the "Health
4 Maintenance Organization Act," the act of December 14, 1992
5 (P.L.835, No.134), known as the "Fraternal Benefit Societies
6 Code," or this act providing hospital or medical/surgical
7 coverage shall provide coverage for medical nutrition therapy to
8 aid in the treatment of cardiovascular disease. The minimum
9 coverage provided shall include all costs associated with
10 medical nutrition therapy for the length of time that such
11 therapy is determined necessary. The benefits specified in this
12 section may be provided through a combination of policies,
13 contracts, certificates or riders, including major medical
14 contracts.

15 (b) This section does not include the following policies:
16 accident only, fixed indemnity, limited benefit, credit, dental,
17 vision, specified disease, Medicare supplement, CHAMPUS
18 (Civilian Health and Medical Program for the Uniform Services)
19 supplement, long-term care, disability income, workers'
20 compensation or automobile medical payment.

21 (c) The coverage required under this section shall be
22 subject to the annual deductibles, copayments or coinsurance
23 requirements imposed by an entity subject to this section for
24 similar coverages under the same health insurance policy or
25 contract.

26 (d) As used in this section:

27 "Cardiovascular disease" means diseases of the heart and
28 blood vessels, including congestive heart failure,
29 arteriosclerosis, hyperlipidemia, hypertension and
30 hypercholesterolemia.

1 "Medical nutrition therapy" means the assessment of
2 nutritional status and the assignment of diet, counseling or
3 specialized nutrition therapies to treat an illness or
4 condition, provided by a licensed dietitian/nutritionist.

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