

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 595 Session of 2019

INTRODUCED BY MENSCH, SCAVELLO, LAUGHLIN, KILLION, PHILLIPS-HILL, VOGEL, K. WARD, YAW, STREET, BOSCOLA, BREWSTER, FARNESE, TARTAGLIONE, COSTA, HUGHES, SANTARSIERO, SCHWANK, FONTANA, HAYWOOD, BLAKE, LEACH, L. WILLIAMS, MUTH, COLLETT, IOVINO, KEARNEY, DINNIMAN, AUMENT, BAKER, J. WARD, TOMLINSON AND BARTOLOTTA, SEPTEMBER 23, 2019

REFERRED TO BANKING AND INSURANCE, SEPTEMBER 23, 2019

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," in casualty insurance, further
 12 providing for coverage for mammographic 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, is amended
 17 to read:

18 Section 632. Coverage for Mammographic Examinations and
 19 Diagnostic Breast Imaging.--(a) All group or individual health
 20 or sickness or accident insurance policies providing hospital or
 21 medical/surgical coverage and all group or individual subscriber

1 contracts or certificates issued by any entity subject to 40
2 Pa.C.S. Ch. 61 (relating to hospital plan corporations) or 63
3 (relating to professional health services plan corporations),
4 this act, the act of December 29, 1972 (P.L.1701, No.364), known
5 as the "Health Maintenance Organization Act," the act of July
6 29, 1977 (P.L.105, No.38), known as the "Fraternal Benefit
7 Society Code," or an employe welfare benefit plan as defined in
8 section 3 of the Employee Retirement Income Security Act of 1974
9 (Public Law 93-406, 29 U.S.C. § 1001 et seq.) providing hospital
10 or medical/surgical coverage shall also provide coverage for
11 mammographic examinations. The minimum coverage required shall
12 include all costs associated with a mammogram every year for
13 women 40 years of age or older [and], with any mammogram based
14 on a physician's recommendation for women under 40 years of age
15 and diagnostic or supplemental magnetic resonance imaging or, if
16 such imaging is not possible, ultrasound if recommended by a
17 licensed physician because the woman is believed to be at an
18 increased risk for breast cancer due to:

19 (1) family history or personal history of breast cancer
20 or prior atypical breast biopsy;

21 (2) positive genetic testing; or

22 (3) heterogeneously dense or extremely dense breast
23 tissue based on the Breast Imaging and Reporting Data System
24 established by the American College of Radiology.

25 Prior to payment for a screening mammogram, insurers shall
26 verify that the screening mammography service provider is
27 properly licensed by the department in accordance with the act
28 of July 9, 1992 (P.L.449, No.93), known as the "Mammography
29 Quality Assurance Act." Nothing in this section shall be
30 construed to require an insurer to cover the surgical procedure

1 known as mastectomy or to prevent application of deductible or
2 copayment provisions contained in the policy or plan.

3 (b) This section shall not apply to the following types of
4 policies:

5 (1) Accident only.

6 (2) Limited benefit.

7 (3) Credit.

8 (4) Dental.

9 (5) Vision.

10 (6) Specified disease.

11 (7) Medicare supplement.

12 (8) Civilian Health and Medical Program of the Uniformed
13 Services (CHAMPUS) supplement.

14 (9) Long-term care or disability income.

15 (10) Workers' compensation.

16 (11) Automobile medical payment.

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