
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 618 Session of
2021

INTRODUCED BY SIMS, HILL-EVANS, SANCHEZ, N. NELSON, FRANKEL,
SCHLOSSBERG, KRAJEWSKI, ISAACSON, FIEDLER, HOHENSTEIN, LEE,
KENYATTA, GUENST, WEBSTER, McCLINTON, MADDEN AND T. DAVIS,
FEBRUARY 24, 2021

REFERRED TO COMMITTEE ON INSURANCE, FEBRUARY 24, 2021

AN ACT

1 Requiring health insurance policies to provide coverage for
2 postexposure prophylaxis HIV medication.

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 PEP for
7 Pennsylvania 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." An individual or group health
13 insurance policy, contract or plan that provides medical or
14 health care coverage by a health care facility or licensed
15 health care provider on an expense-incurred service or prepaid
16 basis that is offered by or is governed under any of the
17 following:

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

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

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

(4) A nonprofit corporation subject to 40 Pa.C.S. Ch. 61 (relating to hospital plan corporations) or 63 (relating to professional health services plan corporations).

The term does not include accident only, fixed indemnity, limited benefit, credit, dental, vision, specified disease, Medicare supplement, Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) supplement, long-term care or disability income, workers' compensation or automobile medical payment insurance.

"Postexposure prophylaxis HIV medication." A medication that is approved by the United States Food and Drug Administration that can be taken as a prophylaxis to prevent the transmission of the human immunodeficiency virus.

Section 3. Mandated coverage.

(a) General rule.--A health insurance policy that is delivered, issued for delivery, renewed, extended or modified in this Commonwealth on or after the effective date of this section shall provide coverage for the expenses of any postexposure prophylaxis HIV medication.

(b) Specialty tier.--Insurance providers may not move any postexposure prophylaxis HIV medication into a specialty tier solely for monetary gains.

(c) Counseling.--No health care plan may impose counseling

1 from an infectious disease specialist or immunologist in order
2 to receive postexposure prophylaxis HIV medication unless
3 medically necessary.

4 Section 4. Effective date.

5 This act shall take effect in 60 days.