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**House of Representatives**  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

## MEMORANDUM

**Date:** January 26, 2011  
**To:** All House Members  
**From:** Representative Kevin Boyle  
**Subject:** Co-sponsorship of Legislation: Prohibition on Recessions of Coverage

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I invite you to join me and co-sponsor my legislation which will implement federal health reform legislation that prohibits insurance companies from cancelling an individual's health insurance policy except in instances of fraud, or intentional misrepresentation of material facts. My legislation is consistent with the model law adopted by the National Association of Insurance Commissioners that was recently adopted by that association.

Prior to the federal reforms, insurance companies could search for an error on a customer's application or other technical mistake and use this error to stop covering the person when he or she got sick. The new law makes this illegal and after media reports cited incidents of breast cancer patients losing coverage, insurance companies agreed to end this practice immediately. The ban on this practice, know as a recession, became effective for health plan years beginning on or after September 23, 2010.

Passage of my legislation will empower the Insurance Department to enforce the anti-recession law, and authorize the assessment of penalties in appropriate instances. It will also protect the sovereignty of the Commonwealth as it relates to the regulation of the business of insurance.

If you would like to co-sponsor this important legislation, please contact Dan Green at [dgreen@pahouse.net](mailto:dgreen@pahouse.net).

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