

EDDIE DAY PASHINSKI, MEMBER

CAPITOL OFFICE:
203 IRVIS OFFICE BUILDING
P.O. BOX 202121
HARRISBURG, PENNSYLVANIA 17120-2121
(717) 783-0686
FAX: (717) 780-4788

DISTRICT OFFICE:
152 SOUTH PENNSYLVANIA AVENUE
WILKES-BARRE, PENNSYLVANIA 18702
(570) 825-5934

E-MAIL:
EPASHINS@PAHOUSE.NET



House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

COMMITTEES

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MEMORANDUM

TO: Members of the House of Representatives

FROM: Representative Eddie Day Pashinski

DATE: May 23, 2011

SUBJECT: Co-sponsorship memo – Living Wills and Advance Directives Discount

In the near future, I plan to introduce legislation that would establish the Living Will Incentive Program. This legislation would authorize all health insurers writing insurance in Pennsylvania to provide a premium discount of no less than 5% for each insured adult having executed a living will or advance directive.

I am introducing this legislation in an effort to raise public awareness of the need to plan ahead for health care decisions related to end-of-life care and medical decision-making. Estimates reflect that only a minority of individuals plan for their end-of-life care, including those who are terminally ill or living with life-threatening or life-limiting illnesses. Preparation of a living will and advance directive offers individuals the opportunity to talk with loved ones before a health care crisis occurs to decide what measures would be appropriate for them when it comes to end-of-life care.

The Living Will Incentive Program would require insurers to apply a discount of no less than 5% to policyholders providing proof to the Pennsylvania Department of Insurance of the existence of a living will or advance directive. The Insurance Department would oversee this program and would approve the discount rate as part of the rate filing process by the insurer. Continuing eligibility for the discount would be dependent upon the annual filing of an Advance Directive/Living Will Affidavit by policyholders with the department verifying the execution of a living will or an advance directive. The legislation would complement Pennsylvania's Living Will and Advance Directive for Health Care Act of 2006 (P.L. 1484, No. 169) by acting as an incentive for individuals taking charge of their often costly end-of-life care.

If you would like to co-sponsor this important legislation, please contact Lauren Bordner of my office at lbordner@pahouse.net.