

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 607

Session of  
1985

INTRODUCED BY ARTY, PRATT, E. Z. TAYLOR, HASAY, ITKIN, FEE,  
PERZEL, COHEN, AFFLERBACH, BATTISTO, JOHNSON, LETTERMAN,  
KUKOVICH, GRUPPO, LINTON, CALTAGIRONE, NAHILL, HARPER,  
BELARDI, SEVENTY, LUCYK, MICHLOVIC, SEMMEL, DURHAM, BURD,  
KUKOVICH, MERRY, PUNT, CIVERA, JOSEPHS, PRESSMANN, LASHINGER,  
STABACK, KOSINSKI, BLAUM, TIGUE, VEON, FREEMAN, CAWLEY,  
MILLER, McCALL, TRUMAN, DUFFY, COLE, CARN, ANGSTADT, TRELLO,  
GREENWOOD, RAYMOND, HAGARTY, BOOK AND JAROLIN, MARCH 20, 1985

REFERRED TO COMMITTEE ON INSURANCE, MARCH 20, 1985

AN ACT

1 Providing for reimbursement by insurance companies, professional  
2 health service plan corporations, fraternal benefit societies  
3 and voluntary nonprofit health service plans for service  
4 performed by a registered nurse; and providing further duties  
5 of the Insurance Department.

6 The General Assembly of the Commonwealth of Pennsylvania  
7 hereby enacts as follows:

8 Section 1. Short title.

9 This act shall be known and may be cited as the Insurance  
10 Payment to Registered Nurse Law.

11 Section 2. Definitions.

12 The following words and phrases when used in this act shall  
13 have the meanings given to them in this section unless the  
14 context clearly indicates otherwise:

15 "Department." The Insurance Department of the Commonwealth.

16 Section 3. Policies and contracts covered.

(a) Coverage enumerated.--This act shall apply to every group or individual policy, contract or certificate issued thereunder, of health, sickness or accident insurance delivered or issued for delivery within the Commonwealth including, but not limited to, policies, contracts or certificates issued by:

(1) Any stock insurance company as described in section 202(c)(4) and (11) and any mutual insurance company as described in section 202(d)(1) of the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921.

(2) Any hospital plan corporation as defined in 40 Pa.C.S. Ch. 61 (relating to hospital plan corporations).

(3) Any professional health services plan corporation as defined 40 Pa.C.S. Ch. 63 (relating to professional health services plan corporations).

(4) Any fraternal benefit society as defined in 40 Pa.C.S. Ch. 65 (relating to fraternal benefits societies).

(5) Any voluntary nonprofit health service plan as defined in the act of December 29, 1972 (P.L.1701, No.364), known as the Health Maintenance Organization Act.

(6) Any person who sells or issues contracts or certificates of insurance which meet the requirements of this act.

(b) Application of act.--This act shall apply to policies, contracts or certificates issued, renewed, modified, altered, amended or reissued on and after the effective date of this act.

Section 4. Scope of coverage.

(a) General rule.--When a service is performed by a registered professional nurse lawfully permitted to perform that service under the act of May 22, 1951 (P.L.317, No.69), known as

1 The Professional Nursing Law, and a policy, contract or  
2 certificate provides for reimbursement for that service, the  
3 insured or any other person covered shall be entitled to  
4 reimbursement either to the insured or to the registered  
5 professional nurse providing that service.

6 (b) Employment by hospital.--When any hospital employs a  
7 registered professional nurse, and a policy, contract or  
8 certificate provides for reimbursement of that nurse service,  
9 that service shall not be subject to reimbursement to the  
10 registered professional nurse pursuant to this section.

11 Section 5. Rules and regulations.

12 The department shall, in the manner provided by law,  
13 promulgate the rules, regulations and forms necessary to carry  
14 out this act. Following publication of the initial set of  
15 proposed regulations in the Pennsylvania Bulletin, but prior to  
16 their formal adoption, the department shall hold public hearings  
17 thereon.

18 Section 6. Construction of act.

19 Nothing in this act shall be deemed to affect or impair the  
20 act of May 22, 1951 (P.L.317, No.69), known as The Professional  
21 Nursing Law, nor to confer upon any public or private  
22 organization or agency the power to interpret or enforce this  
23 act, except as may be provided for therein.

24 Section 7. Effective date.

25 This act shall take effect in 90 days.