

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 239

Session of  
1987

INTRODUCED BY COLE, DOMBROWSKI, FEE AND ARTY, FEBRUARY 9, 1987

REFERRED TO COMMITTEE ON INSURANCE, FEBRUARY 9, 1987

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," providing for coverage of cancer  
12 treatment.

13 The General Assembly of the Commonwealth of Pennsylvania  
14 hereby enacts as follows:

15 Section 1. The act of May 17, 1921 (P.L.682, No.284), known  
16 as The Insurance Company Law of 1921, is amended by adding a  
17 section to read:

18 Section 631. Cancer Treatment.--(a) All group policies  
19 covered by subdivision (b) of this article providing hospital or  
20 medical-surgical coverage and all group subscriber contracts or  
21 certificates issued by any entity subject to 40 Pa.C.S. Ch. 61  
22 (relating to hospital plan corporations) or 63 (relating to

1 professional health services plan corporations), the act of  
2 December 29, 1972 (P.L.1701, No.364), known as the "Health  
3 Maintenance Organization Act," or the act of July 29, 1977  
4 (P.L.105, No.38), known as the "Fraternal Benefit Society Code,"  
5 providing hospital or medical-surgical coverage, shall include  
6 within the coverage, reimbursement for cancer chemotherapy and  
7 cancer hormone treatments and services. The coverage shall  
8 specifically provide for reimbursement for cancer chemotherapy  
9 and cancer hormone therapy approved by the United States Food  
10 and Drug Administration for commercial use in the treatment of  
11 cancer and not approved for investigative or experimental  
12 purposes and for the insured or any other person covered by the  
13 policy, contract or certificate, or health services  
14 reimbursement program to be entitled to reimbursement for cancer  
15 chemotherapy and cancer hormone treatments, whether performed in  
16 a physician's office, in an outpatient department of a hospital  
17 or as a hospital outpatient, or in any other medically  
18 appropriate treatment setting. This subsection shall not apply  
19 to policies, contracts or certificates of group or individual  
20 health or sickness insurance which provide coverage or  
21 reimbursement only for accidents, coverage or reimbursement  
22 based solely on the number of days an insured is hospitalized or  
23 coverage or reimbursement only when the insured is hospitalized  
24 as an inpatient in a hospital.

25 (b) The benefits specified in subsection (a) may be provided  
26 through a combination of such policies, contracts or  
27 certificates. The benefits specified in subsection (a) may be  
28 provided through prospective payment plans.

29 (c) Reasonable deductible or copayment plans, or both, may  
30 be applied to benefits paid to or on behalf of patients during

1 the course of cancer chemotherapy and cancer hormone treatments  
2 but in no case shall be less favorable than those applied to  
3 similar classes or categories of treatment for physical illness  
4 generally in each policy.

5 (d) Cancer chemotherapy and cancer hormone treatments and  
6 services shall be subject to the same terms and conditions as  
7 other benefits as set forth in the policies, contracts or  
8 certificates, and each treatment shall be covered by an  
9 individualized treatment plan which is subject to  
10 precertification and concurrent utilization and peer review.

11 Section 2. This act shall take effect immediately.