

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1103 Session of
1993

INTRODUCED BY SCHWARTZ, SCANLON, DAWIDA, LAVALLE, JONES,
AFFLERBACH, REIBMAN, O'PAKE, BELL, LEWIS, BRIGHTBILL, MELLOW,
FUMO, LYNCH, PECORA, PORTERFIELD, LINCOLN, BODACK, STEWART,
MUSTO, BELAN, GREENLEAF, PETERSON AND WILLIAMS, MAY 13, 1993

REFERRED TO BANKING AND INSURANCE, MAY 13, 1993

AN ACT

1 Mandating health insurance coverage of annual gynecological
2 examinations and routine pap smears; and making repeals.

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 Women's
7 Preventative Health Services Act.

8 Section 2. Declaration of policy.

9 The General Assembly finds and declares as follows:

10 (1) As the issue of universal health care is debated at
11 the Federal and State levels, the special health care needs
12 of women must be addressed.

13 (2) If women had access to quality preventative health
14 care, many diseases could be prevented or treated in their
15 early stages when it is less expensive and there is a much
16 better chance of recovery.

17 (3) Less than 60% of women 40 years of age or older and

1 70 years of age or younger have pap smears at least once
2 every three years.

3 (4) Nearly 7,000 women die each year from cervical
4 cancer nationwide.

5 (5) In 1989 there were 212 cervical cancer deaths in
6 this Commonwealth.

7 (6) Nine out of ten deaths from cervical cancer could be
8 prevented if more women had regular pap smears.

9 (7) In 1989, 658 cases of cervical cancer were diagnosed
10 and reported in this Commonwealth. The number of cases
11 reported have increased consistently since 1985.

12 Section 3. Definitions.

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

16 "Health insurance policy." Any individual or group health,
17 sickness or accident policy or subscriber contract or
18 certificate issued by an entity subject to any one of the
19 following:

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

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

24 (3) 40 Pa.C.S. Ch. 61 (relating to hospital plan
25 corporations), 63 (relating to professional health services
26 plan corporations) or 65 (relating to fraternal benefit
27 societies).

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

1 (5) Medical assistance.

2 Section 4. Mandated coverage.

3 A health insurance policy which is delivered, issued for
4 delivery, renewed, extended or modified in this Commonwealth by
5 a health care insurer shall provide that the health insurance
6 benefits applicable under the policy include coverage for
7 periodic health maintenance to include:

8 (1) Annual gynecological examination, including a pelvic
9 examination and clinical breast examination.

10 (2) Routine pap smears in accordance with the
11 recommendations of the American College of Obstetricians and
12 Gynecologists.

13 Section 5. Delivery of policy.

14 If a health insurance policy provides coverage or benefits to
15 a resident of this Commonwealth, it shall be deemed to be
16 delivered in this Commonwealth within the meaning of this act,
17 regardless of whether the health care insurer issuing or
18 delivering the policy is located within or outside of this
19 Commonwealth.

20 Section 6. Repeals.

21 All acts and parts of acts are repealed insofar as they are
22 inconsistent with this act.

23 Section 7. Applicability.

24 This act shall apply to all insurance policies, subscriber
25 contracts and group insurance certificates issued under any
26 group master policy delivered or issued for delivery on or after
27 the effective date of this act. This act shall also apply to all
28 renewals of contracts on any renewal date which is on or after
29 the effective date of this act.

30 Section 8. Effective date.

1 This act shall take effect in 60 days.