

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 176 Session of
1997

INTRODUCED BY HOLL, JANUARY 21, 1997

REFERRED TO BANKING AND INSURANCE, JANUARY 21, 1997

AN ACT

1 Providing mastectomy coverage standards for health insurance
2 policies.

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 Mastectomy
7 Coverage Standards Act.

8 Section 2. Definitions.

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

12 "Health insurance policy." Any individual or group health
13 insurance policy, contract or plan which provides medical or
14 health care coverage by any health care facility or licensed
15 health care provider on an expense-incurred service or prepaid
16 basis and which is offered by or is governed under any of the
17 following:

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

3 Subarticle (f) of Article IV of the act of June 13, 1967
4 (P.L.31, No.21), known as the Public Welfare Code.

5 Act of December 29, 1972 (P.L.1701, No.364), known as the
6 Health Maintenance Organization Act.

7 Act of May 18, 1976 (P.L.123, No.54), known as the
8 Individual Accident and Sickness Insurance Minimum Standards
9 Act.

10 Act of December 14, 1992 (P.L.835, No.134), known as the
11 Fraternal Benefit Societies Code.

12 A nonprofit corporation subject to 40 Pa.C.S. Chs. 61
13 (relating to hospital plan corporations) and 63 (relating to
14 professional health services plan corporations).

15 "Insurer." Any entity that issues an individual or group
16 health insurance policy, contract or plan described under the
17 definition of "health insurance policy" in this section.

18 Section 3. Mastectomy coverage standards.

19 (a) General rule.--

20 (1) No health insurance policy delivered, issued,
21 executed or renewed in this Commonwealth on or after the
22 effective date of this act shall require outpatient care
23 following a mastectomy performed in a health care facility.

24 (2) Policies described in paragraph (1) shall provide
25 coverage for inpatient care following a mastectomy for the
26 length of stay that the treating physician determines is
27 necessary to meet generally accepted criteria for safe
28 discharge.

29 (3) Coverage under this act shall, however, remain
30 subject to any copayment, coinsurance or deductible amounts

1 set forth in the policy.

2 (b) Exceptions.--This act shall not apply to policies
3 covering accident only, limited benefit, credit, dental, vision,
4 specified disease, Medicare supplement, Civilian Health and
5 Medical Program of the Uniformed Services (CHAMPUS) supplement,
6 long-term care or disability income, workers' compensation or
7 automobile medical payment.

8 Section 4. Effective date.

9 This act shall take effect in 90 days.