
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 499 Session of
1997

INTRODUCED BY O'PAKE, AFFLERBACH, HUGHES, TARTAGLIONE, WILLIAMS,
HART, COSTA, SCHWARTZ, MUSTO, STOUT, MELLOW, STAPLETON AND
BELAN, FEBRUARY 13, 1997

REFERRED TO BANKING AND INSURANCE, FEBRUARY 13, 1997

AN ACT

1 Requiring home health care reimbursement options for purchasers
2 of insurance.

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 Home Health
7 Care Reimbursement 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 "Home health care." A medically necessary program to reduce
13 the length of a hospital stay or to delay or eliminate an
14 otherwise medically necessary hospital admission.

15 "Home health care plan of treatment." A written plan of
16 care, established and periodically reviewed by a physician, that
17 prescribes medically necessary home health care services for

1 treatment of illness or injury.

2 "Home health care services." Nursing care; physical,
3 occupational and speech therapies; social worker and home health
4 aide services provided by a Medicare-certified home health
5 agency.

6 Section 3. Home health care reimbursement.

7 All health insurance policies providing for reimbursement for
8 medically necessary services shall also offer optional health
9 insurance benefits payable with respect to home health care in
10 accordance with a home health care plan of treatment.

11 Section 4. Applicability.

12 (a) General rule.--This act shall apply to every group or
13 individual policy or contract, or certificate issued under the
14 policy or contract, of health, sickness or accident insurance
15 delivered or issued for delivery within this Commonwealth,
16 including, but not limited to, policies, contracts or
17 certificates issued by:

18 (1) Any stock insurance company as defined in section
19 202(c)(4) and (11) of the act of May 17, 1921 (P.L.682,
20 No.284), known as The Insurance Company Law of 1921.

21 (2) Any mutual insurance company as defined in section
22 202(d)(1) of The Insurance Company Law of 1921.

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

25 (4) Any professional health services plan corporation as
26 defined in 40 Pa.C.S. Ch. 63 (relating to professional health
27 services plan corporations).

28 (5) Any society declared to be a fraternal benefit
29 society in the act of December 14, 1992 (P.L.835, No.134),
30 known as the Fraternal Benefit Societies Code.

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

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

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

10 Section 5. Effective date.

11 This act shall take effect in 60 days.