
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 521 Session of
2007

INTRODUCED BY NAILOR, GOODMAN, FAIRCHILD, GABIG, ADOLPH, ARGALL,
BAKER, BEYER, BISHOP, BOYD, BUXTON, CALTAGIRONE, CAPPELLI,
CLYMER, COX, CREIGHTON, DALEY, DENLINGER, FABRIZIO, FREEMAN,
GEIST, GEORGE, GINGRICH, GRELL, GRUCELA, HENNESSEY, HESS,
HORNAMAN, HUTCHINSON, KILLION, MACKERETH, MAHONEY, MARKOSEK,
MARSICO, McGEEHAN, MELIO, R. MILLER, PAYNE, PAYTON, PETRONE,
PHILLIPS, PICKETT, RAPP, RAYMOND, REED, REICHLEY, ROAE,
RUBLEY, SANTONI, SAYLOR, SCAVELLO, SIPTROTH, SONNEY, STABACK,
STERN, SURRA, WALKO AND YOUNGBLOOD, MARCH 7, 2007

REFERRED TO COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY
PREPAREDNESS, MARCH 7, 2007

AN ACT

1 Amending Title 51 (Military Affairs) of the Pennsylvania
2 Consolidated Statutes, further providing for termination of
3 certain health insurance benefits and adding a definition of
4 "ancillary service plans."

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

7 Section 1. Section 7309(d) and (e) of Title 51 of the
8 Pennsylvania Consolidated Statutes are amended to read:

9 § 7309. Employment discrimination for military membership or
10 duty.

11 * * *

12 (d) Termination of certain health insurance benefits.--

13 (1) As used in this subsection, the term "eligible
14 member" applies to full-time students who are eligible for
15 health insurance coverage or ancillary service plans under

1 their parents' health insurance policies when the students
2 are:

3 (i) members of the Pennsylvania National Guard or
4 any reserve component of the armed forces of the United
5 States who are called or ordered to active duty, other
6 than active duty for training, for a period of 30 or more
7 consecutive days; or

8 (ii) members of the Pennsylvania National Guard
9 ordered to active State duty, including duty under 35
10 Pa.C.S. Ch. 76 (relating to Emergency Management
11 Assistance Compact), for a period of 30 or more
12 consecutive days.

13 (2) As used in this subsection, the term "full-time
14 student" shall have the same meaning set forth in Chapter 32
15 (relating to Educational Assistance Program).

16 (3) The eligibility for health insurance coverage or
17 ancillary service plans under a parent's health insurance
18 policy for eligible members as defined in paragraph (1) shall
19 be extended for a period equal to the duration of the
20 eligible member's service on active duty or active State duty
21 or until the eligible member is no longer a full-time
22 student. The eligibility of an eligible member who is a full-
23 time student for health insurance coverage under or ancillary
24 service plans a parent's policy shall not terminate because
25 of the age of the eligible member when the member's
26 educational program was interrupted because of military duty.

27 (4) In order to qualify for this extension, the eligible
28 member must:

29 (i) Submit a form approved by the Department of
30 Military and Veterans Affairs notifying the insurer that

1 the eligible member has been placed on active duty.

2 (ii) Submit a form approved by the Department of
3 Military and Veterans Affairs notifying the insurer that
4 the eligible member is no longer on active duty.

5 (iii) Submit a form approved by the Department of
6 Military and Veterans Affairs showing that the student
7 has reenrolled as a full-time student for the first term
8 or semester starting 60 or more days after his or her
9 release from active duty.

10 (5) The provisions of this subsection shall not apply to
11 a health insurance policy or ancillary service plan that has
12 been terminated.

13 (e) Definitions.--As used in this section, the following
14 words and phrases shall have the meanings given to them in this
15 subsection:

16 "Ancillary service plans." Any individual or group health
17 insurance plan, subscriber contract or certificate that provides
18 exclusive coverage for dental services or vision services.

19 "Health insurance policy." An individual or group health,
20 sickness or accident policy or subscriber contract or
21 certificate issued by an entity subject to any one of the
22 following:

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

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

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

30 (4) 40 Pa.C.S. Ch. 61 (relating to hospital plan

1 corporations) or 63 (relating to professional health services
2 plan corporations).
3 Section 2. This act shall take effect immediately.