

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL****No. 1556** Session of  
2007

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INTRODUCED BY LONGIETTI, COHEN, EACHUS, FREEMAN, GEORGE,  
HARKINS, JOSEPHS, KIRKLAND, KORTZ, KOTIK, LEACH, MANDERINO,  
MARKOSEK, McGEEHAN, McILVAINE SMITH, SHIMKUS, SIPTROTH,  
WALKO, YOUNGBLOOD, YUDICHAK, WANSACZ, SOLOBAY, PETRONE,  
FABRIZIO, GIBBONS AND CALTAGIRONE, JUNE 14, 2007

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AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES,  
JUNE 21, 2007

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## 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," further providing for conditions  
12 subject to which policies are to be issued; and providing for  
13 health insurance coverage for certain children of insured  
14 parents.

15 The General Assembly of the Commonwealth of Pennsylvania  
16 hereby enacts as follows:

17 Section 1. Section 617(A)(3) and (9) of the act of May 17,  
18 1921 (P.L.682, No.284), known as The Insurance Company Law of  
19 1921, repealed and added May 25, 1951 (P.L.417, No.99) and  
20 January 18, 1968 (1967 P.L.969, No.433), are amended to read:

21 Section 617. Conditions Subject to Which Policies Are to Be  
22 Issued.--(A) No such policy shall be delivered or issued for

1 delivery to any person in this Commonwealth unless:

2 \* \* \*

3 (3) it purports to insure only one person, except that a  
4 policy may insure, originally or by subsequent amendment, upon  
5 the application of an adult head of a family who shall be deemed  
6 the policyholder, any two or more eligible members of that  
7 family, including husband, wife, dependent children or any  
8 children under a specified age which, except as provided under  
9 section 617.1, shall not exceed nineteen years and any other  
10 person dependent upon the policyholder; and

11 \* \* \*

12 (9) A policy delivered or issued for delivery after January  
13 1, 1968, under which coverage of a dependent of a policyholder  
14 terminates at a specified age shall, with respect to an  
15 unmarried child covered by the policy prior to the attainment of  
16 the age of nineteen or except as provided under section 617.1,  
17 the age of twenty-nine, who is incapable of self-sustaining  
18 employment by reason of mental retardation or physical handicap  
19 and who became so incapable prior to attainment of age nineteen  
20 and who is chiefly dependent upon such policyholder for support  
21 and maintenance, not so terminate while the policy remains in  
22 force and the dependent remains in such condition, if the  
23 policyholder has within thirty-one days of such dependent's  
24 attainment of the limiting age submitted proof of such  
25 dependent's incapacity as described herein. The foregoing  
26 provisions of this paragraph shall not require an insurer to  
27 insure a dependent who is a mentally retarded or physically  
28 handicapped child where the policy is underwritten on evidence  
29 of insurability based on health factors set forth in the  
30 application or where such dependent does not satisfy the

1 conditions of the policy as to any requirement for evidence of  
2 insurability or other provisions of the policy, satisfaction of  
3 which is required for coverage thereunder to take effect. In any  
4 such case the terms of the policy shall apply with regard to the  
5 coverage or exclusion from coverage of such dependent.

6 \* \* \*

7 Section 2. The act is amended by adding a section to read:

8 Section 617.1. Health Insurance Coverage for Certain  
9 Children of Insured Parents.--(A) An insurer that issues,  
10 delivers, executes or renews health care insurance in this  
11 Commonwealth, under which coverage of a child would otherwise  
12 terminate at a specified age, shall, at the option of the  
13 child's parent or guardian, provide coverage to a child of the  
14 insured beyond that specified age, up through the age of twenty-  
15 nine, provided that the child meet all of the following  
16 requirements:

17 (1) Is not married.

18 (2) Has no dependents.

19 (3) Is a resident of this Commonwealth or is enrolled as a  
20 full-time student at an institution of higher education in this  
21 Commonwealth.

22 (4) Is not covered by another health insurance policy.

23 (B) An insured may exercise the option provided under  
24 subsection (A) at any time during the term of the policy by  
25 notice to the insurer.

26 (C) Employers shall not be required to contribute to any  
27 increased premium charged by the insurer for the exercise of the  
28 option provided under subsection (A), but the contributions may  
29 be agreed to by the employer.

30 (D) THIS SECTION SHALL NOT INCLUDE THE FOLLOWING TYPES OF

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1 INSURANCE OR ANY COMBINATION THEREOF:

2 (1) HOSPITAL INDEMNITY.

3 (2) ACCIDENT.

4 (3) SPECIFIED DISEASE.

5 (4) DISABILITY INCOME.

6 (5) DENTAL.

7 (6) VISION.

8 (7) CIVILIAN HEALTH AND MEDICAL PROGRAM OF THE UNIFORMED

9 SERVICES (CHAMPUS) SUPPLEMENT.

10 (8) MEDICARE SUPPLEMENT.

11 (9) LONG-TERM CARE.

12 (10) OTHER LIMITED BENEFIT PLANS.

13 Section 3. This act shall take effect in 60 days.