

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1959 Session of
2007

INTRODUCED BY LONGIETTI, HALUSKA, HARKINS, BELFANTI, BRENNAN,
CALTAGIRONE, CARROLL, COHEN, GEORGE, GOODMAN, GRUCELA,
HARPER, HORNAMAN, JAMES, JOSEPHS, McILVAINE SMITH, MURT,
PETRONE, SANTONI, SAYLOR, SEIP, SIPTROTH, K. SMITH, SONNEY,
STERN, R. STEVENSON, SURRA, WANSACZ, J. WHITE AND YOUNGBLOOD,
OCTOBER 23, 2007

REFERRED TO COMMITTEE ON INSURANCE, OCTOBER 23, 2007

AN ACT

1 Amending the act of December 15, 1982 (P.L.1291, No.292),
2 entitled "An act to provide for the reasonable
3 standardization and minimum loss ratios of coverage and
4 simplification of terms and benefits of group medicare
5 supplement accident and health insurance policies or group
6 subscriber contracts of health plan corporations and
7 nonprofit health service plans; to facilitate public
8 understanding and comparison of such policies; to eliminate
9 provisions contained in such policies which may be misleading
10 or confusing in connection with the purchase thereof or with
11 the settlement of claims; and to provide for full disclosure
12 in the sale of such coverages to persons eligible for
13 medicare by reason of age," providing for the return of
14 premium funds under certain circumstances.

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

17 Section 1. Section 8 of the act of December 15, 1982
18 (P.L.1291, No.292), known as the Medicare Supplement Insurance
19 Act, is amended to read:

20 Section 8. Requirements for replacement.

21 (a) Application or enrollment forms shall include a question
22 designed to elicit information as to whether a certificate to be

1 issued under a medicare supplement policy is intended to replace
2 any other accident and health insurance presently in force. A
3 supplementary application or other form to be signed by the
4 applicant containing such a question may be used.

5 (b) Upon determining that a sale will involve replacement,
6 an insurer, other than a direct response insurer, or its agent,
7 shall furnish the applicant, prior to issuance or delivery of
8 the certificate, a notice designed to inform the applicant of
9 the essential differences in coverage on a form consistent with
10 the then current model notification form adopted by the National
11 Association of Insurance Commissioners. One copy of such notice
12 shall be retained by the applicant and an additional copy signed
13 by the applicant shall be retained by the insurer. A direct
14 response insurer shall deliver the notice to the applicant upon
15 issuance of the certificate.

16 (c) An insurer shall refund the balance of any premium paid
17 under a Medicare supplement policy upon receipt of proof from
18 the insured that other insurance coverage was obtained.

19 Section 2. This act shall take effect immediately.