

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 427 Session of
2007

INTRODUCED BY WONDERLING, RAFFERTY, PICCOLA, TOMLINSON,
ERICKSON, BRUBAKER, REGOLA, GORDNER, SCARNATI AND WAUGH,
MARCH 14, 2007

REFERRED TO BANKING AND INSURANCE, MARCH 14, 2007

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," providing for exclusion of abortion
12 coverage for health care and disability insurance.

13 The General Assembly of the Commonwealth of Pennsylvania
14 hereby enacts as follows:

15 Section 1. The act of May 17, 1921 (P.L.682, No.284), known
16 as The Insurance Company Law of 1921, is amended by adding a
17 section to read:

18 Section 633.1. Abortion Coverage Exclusion.--(a) All
19 insurers who make available individual or group health care and
20 disability insurance policies in this Commonwealth and who wish
21 to provide abortion coverage shall provide all insureds with an
22 express option to exclude coverage for each of the following:

1 (1) All abortions except those necessary to avert the death
2 of the pregnant woman.

3 (2) All abortions except those necessary to avert the death
4 of the pregnant woman or where the pregnancy is the result of
5 rape or incest.

6 (b) For group policies, the option for exclusion of coverage
7 shall also be made available to each individual subscriber,
8 provided that a subscriber covered under a group policy may not
9 obtain greater abortion coverage than the group policy or
10 contract holder has determined will be available.

11 (c) Notice of the options for exclusion of abortion coverage
12 provided for in this section shall be printed on the application
13 form and on the insurance policy in ten-point boldface print.
14 Every insurance policy that contains an exclusion of abortion
15 coverage shall expressly state that such coverage is excluded.
16 Every insurance policy that provides abortion coverage and does
17 not contain an exclusion for abortion coverage shall expressly
18 state that abortion coverage is provided.

19 (d) Nothing in this section is intended to exclude coverage
20 for medical services needed as a result of complications from an
21 abortion. Nor is this section intended to repeal any provision
22 of 18 Pa.C.S. Ch. 32 (relating to abortion) which limits
23 insurance coverage for abortion.

24 (e) This section shall apply to all policies of health care
25 and disability insurance entered into or renewed on or after the
26 effective date of this section.

27 Section 2. This act shall take effect in 60 days.