

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**SENATE BILL**

**No. 919**      Session of  
2007

INTRODUCED BY BOSCOLA, GORDNER AND FONTANA, JUNE 7, 2007

REFERRED TO BANKING AND INSURANCE, JUNE 7, 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 nondiscrimination  
12 against providers in service area of health insurers and  
13 managed care plans.

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

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

19 Section 2172. Nondiscrimination against Health Care  
20 Providers in Service Area.--(a) No insurer may discriminate  
21 against a health care provider that is located within the  
22 service area set forth in the insurer's health insurance policy  
23 and agrees to meet the terms and conditions of participation in

1 the plan, including, but not limited to, any credentialing  
2 standards, established by the insurer, Medicaid program and  
3 Medicaid partnerships.

4 (b) (1) The term "health insurance policy" when used in  
5 this section means any individual or group health insurance  
6 policy, subscriber contract, certificate or plan which provides  
7 medical or health care coverage by any health care facility or  
8 licensed health care provider which is offered by or is governed  
9 under this act or any of the following:

10 (i) Subarticle (f) of Article IV of the act of June 13, 1967  
11 (P.L.31, No.21), known as the "Public Welfare Code."

12 (ii) The act of December 29, 1972 (P.L.1701, No.364), known  
13 as the "Health Maintenance Organization Act."

14 (iii) The act of May 18, 1976 (P.L.123, No.54), known as the  
15 "Individual Accident and Sickness Insurance Minimum Standards  
16 Act."

17 (iv) A nonprofit corporation subject to 40 Pa.C.S. Chs. 61  
18 (relating to hospital plan corporations) and 63 (relating to  
19 professional health services plan corporations).

20 (2) The term "insurer" when used in this section means any  
21 entity that issues an individual or group health insurance  
22 policy, contract or plan described under clause (1) of this  
23 subsection.

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