

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**SENATE BILL**

**No. 1300** Session of  
2008

INTRODUCED BY CORMAN, RAFFERTY, MELLOW, PIPPY, GREENLEAF,  
ROBBINS, REGOLA, KITCHEN, WOZNIAK, WASHINGTON, FERLO, PUNT,  
M. WHITE, WAUGH, ERICKSON, ORIE, TOMLINSON, EARLL,  
WONDERLING, DINNIMAN, McILHINNEY, C. WILLIAMS, GORDNER,  
LAVALLE, LOGAN, MADIGAN, VANCE, MUSTO, FONTANA, COSTA,  
O'PAKE, RHOADES, KASUNIC, BROWNE AND BRUBAKER, MARCH 7, 2008

REFERRED TO BANKING AND INSURANCE, MARCH 7, 2008

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 mental health  
12 services.

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 2116.1. Mental Health Services.--(a) Except as  
19 provided under subsection (b), if an enrollee has obtained a  
20 referral or other authorization through utilization review from  
21 a managed care plan or a licensed insurer to receive outpatient

1 mental health services from a health care provider or a  
2 specialist, the referral or other authorization shall constitute  
3 a standing referral for any subsequent outpatient mental health  
4 services provided by any health care provider or specialist  
5 until the mental health service for which the referral or  
6 authorization was approved has reached its conclusion.

7 (b) This section shall not apply to the outpatient mental  
8 health services arranged by a managed care plan or licensed  
9 insurer when providing medical assistance outpatient mental  
10 health services under subdivision (f) of Article IV of the act  
11 of June 13, 1967 (P.L.31, No.21), known as the "Public Welfare  
12 Code."

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