
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 189 Session of
2009

INTRODUCED BY CORMAN, SCARNATI, PILEGGI, D. WHITE, STACK,
ERICKSON, BRUBAKER, WONDERLING, COSTA, ALLOWAY, BAKER,
BOSCOLA, EARLL, FERLO, GORDNER, GREENLEAF, KITCHEN, LOGAN,
MUSTO, WILLIAMS, ORIE, RAFFERTY AND WAUGH, FEBRUARY 2, 2009

REFERRED TO BANKING AND INSURANCE, FEBRUARY 2, 2009

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) of the act of May 17, 1921
18 (P.L.682, No.284), known as The Insurance Company Law of 1921,
19 repealed and added May 25, 1951 (P.L.417, No.99), is amended to
20 read:

21 Section 617. Conditions Subject to Which Policies Are to Be
22 Issued.--(A) No such policy shall be delivered or issued for
23 delivery to any person in this Commonwealth unless:

1 * * *

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

10 * * *

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

12 Section 617.1. Health Insurance Coverage for Certain
13 Children of Insured Parents.--(A) An insurer that issues,
14 delivers, executes or renews group health care insurance in this
15 Commonwealth, under which coverage of a child would otherwise
16 terminate at a specified age, shall, at the option of the
17 policyholder, provide coverage to a child of an insured employe
18 beyond that specified age, up through and including the age of
19 29, at the insured employe's expense, and provided that the
20 child meet all of the following requirements:

21 (1) Is not married.

22 (2) Has no dependents.

23 (3) Is a resident of this Commonwealth or is enrolled as a
24 full-time student at an institution of higher education.

25 (4) Is not provided coverage as a named subscriber, insured,
26 enrollee or covered person under any other group or individual
27 health insurance policy or enrolled in or entitled to benefits
28 under any government program, including benefits under Title
29 XVIII of the Social Security Act (49 Stat. 620, 42 U.S.C. § 1395
30 et seq.).

1 (B) Insurers may determine increases in premiums related to
2 continuation of coverage for the adult dependent past the
3 limiting age of nineteen.

4 (C) This section shall not include the following types of
5 insurance or any combination thereof:

6 (1) Hospital indemnity.

7 (2) Accident.

8 (3) Specified disease.

9 (4) Disability income.

10 (5) Dental.

11 (6) Vision.

12 (7) Civilian Health and Medical Program of the Uniformed
13 Services (CHAMPUS) supplement.

14 (8) Medicare supplement.

15 (9) Long-term care.

16 (10) Other limited benefit plans.

17 (11) Individual health insurance policies.

18 (D) For the purpose of this section:

19 "Health care insurance" means a group health, sickness or
20 accident policy or subscriber contract or certificate issued by
21 an entity subject to any one of the following:

22 (1) This act.

23 (2) The act of December 29, 1972 (P.L.1701, No.364), known
24 as the "Health Maintenance Organization Act."

25 (3) The act of May 18, 1976 (P.L.123, No.54), known as the
26 "Individual Accident and Sickness Insurance Minimum Standards
27 Act."

28 (4) 40 Pa.C.S. Chs. 61 (relating to hospital plan
29 corporations) or 63 (relating to professional health services
30 plan corporations).

1 Section 3. This act shall apply to new contracts and
2 contract renewals occurring 90 days after the effective date of
3 this act.

4 Section 4. This act shall take effect in 90 days.