
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 10 Session of
2011

INTRODUCED BY SCARNATI, FOLMER, WARD, EARLL, ROBBINS, ERICKSON,
PICCOLA, ARGALL, D. WHITE, VOGEL, YAW, ALLOWAY, ORIE,
BRUBAKER, EICHELBERGER, MENSCH, WAUGH, BAKER AND SMUCKER,
JANUARY 21, 2011

REFERRED TO BANKING AND INSURANCE, JANUARY 21, 2011

A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth
2 of Pennsylvania, providing for health care services.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby resolves as follows:

5 Section 1. The following amendment to the Constitution of
6 Pennsylvania is proposed in accordance with Article XI:

7 That Article III be amended by adding a section to read:

8 § 33. Health care services.

9 A person shall be entitled to the freedom of providing for
10 the person's own health care. With the exception of providing
11 indemnity and medical benefits to injured workers, no law shall
12 be enacted:

13 (1) requiring a person to obtain or maintain health
14 insurance coverage, except as required by a court where the
15 person is named as a party in a judicial proceeding;

16 (2) prohibiting a person from or penalizing a person for
17 making direct payment to a health care provider for tendering

1 health care services; or

2 (3) rendering a person liable for any penalty, tax,
3 assessment, fee or fine as a result of the person's failure
4 to obtain or maintain health insurance coverage.

5 Section 2. (a) Upon the first passage by the General
6 Assembly of this proposed constitutional amendment, the
7 Secretary of the Commonwealth shall proceed immediately to
8 comply with the advertising requirements of section 1 of Article
9 XI of the Constitution of Pennsylvania and shall transmit the
10 required advertisements to two newspapers in every county in
11 which such newspapers are published in sufficient time after
12 passage of this proposed constitutional amendment.

13 (b) Upon the second passage by the General Assembly of this
14 proposed constitutional amendment, the Secretary of the
15 Commonwealth shall proceed immediately to comply with the
16 advertising requirements of section 1 of Article XI of the
17 Constitution of Pennsylvania and shall transmit the required
18 advertisements to two newspapers in every county in which such
19 newspapers are published in sufficient time after passage of
20 this proposed constitutional amendment. The Secretary of the
21 Commonwealth shall submit this proposed constitutional amendment
22 to the qualified electors of this Commonwealth at the first
23 primary, general or municipal election which meets the
24 requirements of and is in conformance with section 1 of Article
25 XI of the Constitution of Pennsylvania and which occurs at least
26 three months after the proposed constitutional amendment is
27 passed by the General Assembly.