

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 220 Session of 2011

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

REFERRED TO BANKING AND INSURANCE, JANUARY 21, 2011

AN ACT

1 Amending Title 40 (Insurance) of the Pennsylvania Consolidated
 2 Statutes, providing for health insurance coverage not
 3 required.

4 The General Assembly of the Commonwealth of Pennsylvania
 5 hereby enacts as follows:

6 Section 1. Title 40 of the Pennsylvania Consolidated
 7 Statutes is amended by adding a section to read:

8 § 102. Health insurance coverage not required.

9 (a) General.--No resident of this Commonwealth, regardless
 10 of whether he has or is eligible for health insurance coverage
 11 under any policy or program provided by or through his employer,
 12 or a plan sponsored by the Federal Government or the
 13 Commonwealth, shall be required to obtain or maintain a policy
 14 of individual insurance coverage except as required by a court
 15 or the Department of Public Welfare where an individual is named
 16 a party in a judicial or administrative proceeding. No provision
 17 of any law shall render a resident of this Commonwealth liable

1 for any penalty, assessment, fee or fine as a result of his
2 failure to procure or obtain health insurance coverage.

3 (b) Applicability.--This section shall not apply to:

4 (1) Individuals voluntarily applying for coverage under
5 a State-administered program under Title XIX of the Social
6 Security Act (49 Stat. 620, 42 U.S.C. §§ 1396-1396v) or XXI
7 of the Social Security Act (49 Stat. 620, 42 U.S.C. §§
8 1397aa-1397mm).

9 (2) Students being required by an institution of higher
10 education to obtain and maintain health insurance as a
11 condition of enrollment.

12 (c) Rights.--Nothing in this section shall impair the rights
13 of persons to privately contract for health insurance for family
14 members or former family members.

15 Section 2. This act shall take effect immediately.