

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 493 Session of 2021

INTRODUCED BY HANBIDGE, HOHENSTEIN, SANCHEZ, ISAACSON, McNEILL, HILL-EVANS, GUENST, SCHLOSSBERG, BENHAM, N. NELSON, NEILSON, CIRESI, ROZZI, SCHWEYER, KINKEAD, WEBSTER, FREEMAN, MALAGARI, BRIGGS, T. DAVIS, O'MARA, PISCIOTTANO, DELLOSO AND McCLINTON, FEBRUARY 10, 2021

REFERRED TO COMMITTEE ON INSURANCE, FEBRUARY 10, 2021

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," in casualty insurance, further  
 12 providing for hearing aid coverage.

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

15 Section 1. Section 635 of the act of May 17, 1921 (P.L.682,  
 16 No.284), known as The Insurance Company Law of 1921, is amended  
 17 to read:

18 Section 635. Hearing Aid Coverage.--(a) Any insurer that  
 19 underwrites Medicare or Medicaid insurance for insureds residing  
 20 in this Commonwealth shall provide coverage in such insurance  
 21 for a hearing aid sold in accordance with section 403 of the act

1 of November 24, 1976 (P.L.1182, No.262), known as the "Hearing  
2 Aid Sales Registration Law."

3 (b) A health insurance policy or government program shall  
4 provide coverage for a hearing aid sold in accordance with  
5 section 403 of the "Hearing Aid Sales Registration Law," subject  
6 to any applicable copay, coinsurance or deductible.

7 (c) As used in this section:

8 (1) "Government program" includes the following:

9 (i) The Commonwealth's medical assistance program  
10 established under Subarticle (f) of Article IV of the act of  
11 June 13, 1967 (P.L.31, No.21), known as the "Human Services  
12 Code."

13 (ii) The Children's Health Insurance Program established  
14 under Article XXIII-A of this act.

15 (2) "Health insurance policy":

16 (i) Means an individual or group health insurance policy,  
17 contract or plan that provides medical or health care coverage  
18 by a health care facility or licensed health care provider on an  
19 expense-incurred service or prepaid basis that is offered by or  
20 is governed under any of the following:

21 (A) This act, including section 630 and Article XXIV.

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

24 (C) A nonprofit corporation subject to 40 Pa.C.S. Ch. 61  
25 (relating to hospital plan corporations) or 63 (relating to  
26 professional health services plan corporations).

27 (ii) Does not include any of the following policies:

28 (A) Accident only.

29 (B) Credit only.

30 (C) Long-term care or disability income.

- 1     (D) Specified disease.
- 2     (E) Medicare supplement.
- 3     (F) TRICARE, including a Civilian Health and Medical Program  
4 of the Uniformed Services (CHAMPUS) supplement.
- 5     (G) Fixed indemnity.
- 6     (H) Dental only.
- 7     (I) Vision only.
- 8     (J) Workers' compensation.
- 9     (K) Automobile medical payment insurance.

10 Section 2. This act shall apply as follows:

11         (1) For health insurance policies for which either rates  
12 or forms are required to be filed with the Federal Government  
13 or the Insurance Department, this act shall apply to any  
14 policy for which a form or rate is first filed on or after  
15 the effective date of this section.

16         (2) For health insurance policies for which neither  
17 rates nor forms are required to be filed with the Federal  
18 Government or the Insurance Department, this act shall apply  
19 to any policy issued or renewed on or after 180 days after  
20 the effective date of this section.

21 Section 3. This act shall take effect in 90 days.