

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1330 Session of  
2022

INTRODUCED BY K. WARD, MENSCH, COLLETT, PHILLIPS-HILL, BROOKS,  
TARTAGLIONE, SCHWANK, VOGEL, STEFANO, DILLON, COMITTA,  
ARGALL, GEBHARD, CAPPELLETTI, SANTARSIERO, HUTCHINSON AND  
ROBINSON, SEPTEMBER 15, 2022

REFERRED TO BANKING AND INSURANCE, SEPTEMBER 15, 2022

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, providing  
12 for coverage for BRCA-related genetic counseling and testing.

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 633.1. Coverage for BRCA-related Genetic Counseling  
19 and Testing.--(a) Any group or individual health, sickness or  
20 accident insurance policy providing hospital or medical/surgical  
21 coverage, group or individual subscriber contract or certificate  
22 issued by an entity subject to 40 Pa.C.S. Ch. 61 (relating to

1 hospital plan corporations) or 63 (relating to professional  
2 health services plan corporations), the act of December 29, 1972  
3 (P.L.1701, No.364), known as the "Health Maintenance  
4 Organization Act" or this act or an employe welfare benefit plan  
5 as defined in section 3 of the Employee Retirement Income  
6 Security Act of 1974 (Public Law 93-406, 29 U.S.C. § 1001 et  
7 seq.) providing hospital or medical/surgical coverage shall also  
8 provide coverage for BRCA-related genetic counseling and  
9 testing. The minimum coverage required shall include all costs  
10 associated with genetic counseling and, if indicated after  
11 genetic counseling, genetic testing for individuals believed to  
12 be at an increased risk, based on a clinical risk assessment  
13 tool, of potentially harmful mutations in the BRCA1 or BRCA2  
14 genes due to personal or family history of breast or ovarian  
15 cancer.

16 (b) This section shall not apply to the following types of  
17 policies:

18 (1) Accident only.

19 (2) Limited benefit.

20 (3) Credit.

21 (4) Dental.

22 (5) Vision.

23 (6) Specified disease.

24 (7) Medicare supplement.

25 (8) Civilian Health and Medical Program of the Uniformed  
26 Services (CHAMPUS) supplement.

27 (9) Long-term care or disability income.

28 (10) Workers' compensation.

29 (11) Automobile medical payment.

30 (12) Fixed indemnity.

1     (13) Hospital indemnity.

2     Section 2. This act shall apply as follows:

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

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

13    Section 3. This act shall take effect in 60 days.