
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1609 Session of
2023

INTRODUCED BY HANBIDGE, HOHENSTEIN, CIRESI, SANCHEZ, GUENST,
D. WILLIAMS, MADDEN, HOWARD, SCHLOSSBERG, SAPPEY, McNEILL,
BURGOS, KINSEY, FIEDLER, HILL-EVANS, FLEMING, DEASY, FREEMAN,
KINKEAD, KHAN, CERRATO, N. NELSON, OTTEN, O'MARA, ROZZI,
BOROWSKI, T. DAVIS, HARKINS, WEBSTER, KIM, SHUSTERMAN,
PIELLI, HADDOCK, BRENNAN, DELLOSO AND PROBST, AUGUST 8, 2023

REFERRED TO COMMITTEE ON INSURANCE, AUGUST 8, 2023

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) The health insurance policy shall make available,
8 starting with the first year of enrollment and every three years
9 thereafter, no less than a two thousand five hundred dollar
10 benefit toward coverage for a hearing aid. The benefit may be
11 used by the insured with an entity in the business of selling
12 hearing aids and fitters that are contracted with the health
13 insurance policy.

14 (d) As used in this section:

15 (1) "Business of selling hearing aids" means as defined in
16 section 103 of the "Hearing Aid Sales Registration Law."

17 (2) "Fitter" means as defined in section 103 of the "Hearing
18 Aid Sales Registration Law."

19 (3) "Government program" includes the following:

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

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

26 (4) "Health insurance policy":

27 (i) Means an individual or group health insurance policy,
28 contract or plan that provides medical or health care coverage
29 by a health care facility or licensed health care provider on an
30 expense-incurred service or prepaid basis that is offered by or

1 is governed under any of the following:

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

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

5 (C) A nonprofit corporation subject to 40 Pa.C.S. Ch. 61
6 (relating to hospital plan corporations) or 63 (relating to
7 professional health services plan corporations).

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

9 (A) Accident only.

10 (B) Credit only.

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

12 (D) Specified disease.

13 (E) Medicare supplement.

14 (F) TRICARE, including a Civilian Health and Medical Program
15 of the Uniformed Services (CHAMPUS) supplement.

16 (G) Fixed indemnity.

17 (H) Dental only.

18 (I) Vision only.

19 (J) Workers' compensation.

20 (K) Automobile medical payment insurance.

21 (L) Hospital indemnity.

22 (M) Limited benefit.

23 Section 2. This act shall apply as follows:

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

29 (2) For health insurance policies for which neither
30 rates nor forms are required to be filed with the Federal

1 Government or the Insurance Department, this act shall apply
2 to any policy issued or renewed on or after 180 days after
3 the effective date of this section.

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