
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2959 Session of
2020

INTRODUCED BY ULLMAN, HILL-EVANS, FRANKEL, MADDEN, BURGOS,
FREEMAN, CALTAGIRONE, DRISCOLL, WEBSTER, CIRESI, ZABEL, SIMS,
YOUNGBLOOD, GALLOWAY, SANCHEZ, DEASY AND INNAMORATO,
NOVEMBER 5, 2020

REFERRED TO COMMITTEE ON INSURANCE, NOVEMBER 5, 2020

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 COVID-19 care coverage.

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 635.8. COVID-19 Care Coverage.--(a) A health
19 insurance policy or government program covered under this
20 section that is offered, issued or renewed in this Commonwealth
21 shall include coverage for, and waive cost-sharing requirements
22 related to, medically necessary COVID-19 diagnosis, COVID-19

1 treatment and COVID-19 prevention.

2 (b) This section shall expire one year after termination or
3 expiration of the COVID-19 disaster emergency.

4 (c) The following words and phrases when used in this
5 section shall have the meanings given to them in this subsection
6 unless the context clearly indicates otherwise:

7 "Cost-sharing." The share of costs covered by the patient,
8 including, but not limited to, deductibles, coinsurance and
9 copayments or similar charges. The term does not include the
10 payment of health insurance policy premiums.

11 "COVID-19." The novel coronavirus as identified in the
12 COVID-19 disaster emergency.

13 "COVID-19 diagnosis." In vitro diagnostic and antibody tests
14 authorized or approved by the United States Food and Drug
15 Administration for COVID-19 in a manner which complies with the
16 rules, regulations or guidelines established by the Centers for
17 Disease Control and Prevention. The term does not mean testing
18 required for employment.

19 "COVID-19 disaster emergency." The declaration of disaster
20 emergency issued by the Governor on March 6, 2020, published at
21 50 Pa.B. 1644 (March 21, 2020), and any renewal of the state of
22 disaster emergency.

23 "COVID-19 prevention." Injectable medications, biologicals
24 or immunizations authorized or approved by the United States
25 Food and Drug Administration for COVID-19 in a manner which
26 complies with the rules, regulations or guidelines established
27 by the Centers for Disease Control and Prevention.

28 "COVID-19 treatment." Medical therapeutics approved by the
29 United States Food and Drug Administration for COVID-19 in a
30 manner which complies with the rules, regulations or guidelines

1 established by the Centers for Disease Control and Prevention.

2 "Government program." Any of the following:

3 (1) The Commonwealth's medical assistance program

4 established under the act of June 13, 1967 (P.L.31, No.21),

5 known as the Human Services Code.

6 (2) The Commonwealth's Children's Health Insurance Program

7 under Article XXIII-A of this act.

8 "Health insurance policy." A policy, subscriber contract,

9 certificate or plan issued by an insurer that provides medical

10 or health care coverage. The term does not include:

11 (1) Accident only.

12 (2) Credit only.

13 (3) Long-term care or disability income.

14 (4) Specified disease.

15 (5) Medicare supplement.

16 (6) Tricare, including a Civilian Health and Medical Program

17 of the Uniformed Services (CHAMPUS) supplement.

18 (7) Fixed indemnity.

19 (8) Dental only.

20 (9) Vision only.

21 (10) Workers' compensation.

22 (11) Automobile medical payment under 75 Pa.C.S. (relating

23 to vehicles).

24 "Insurer." An entity that holds a valid license by the

25 Insurance Department with accident and health authority to issue

26 a health insurance policy and governed under any of the

27 following:

28 (1) This act, including section 630.

29 (2) The act of December 29, 1972 (P.L.1701, No.364), known

30 as the Health Maintenance Organization Act.

1 (3) 40 Pa.C.S. Chs. 61 (relating to hospital plan
2 corporations) and 63 (relating to professional health services
3 plan corporations).

4 Section 2. This act shall take effect immediately.