

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 531 Session of 2023

INTRODUCED BY McNEILL, RABB, PROBST, SANCHEZ, MADDEN, HILL-  
EVANS, HOHENSTEIN, SCHLOSSBERG, IRVIN, HARKINS, PARKER,  
FLEMING, NEILSON, MALAGARI, CIRESI, DEASY, KIM, DELLOSO,  
FREEMAN AND SAMUELSON, MARCH 17, 2023

REFERRED TO COMMITTEE ON INSURANCE, MARCH 17, 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, providing  
12 for coverage for prostate cancer screening.

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 635.9. Coverage for Prostate Cancer Screening.--(a)  
19 Except to the extent already covered under another policy, a  
20 health insurance policy shall provide coverage for prostate  
21 cancer screenings for covered individuals in accordance with  
22 American Cancer Society guidelines for prostate cancer screening

1 published as of January 1, 2023, and consistent with approved  
2 medical standards and practices. An insurer shall provide  
3 coverage for an annual prostate-specific antigen blood test and  
4 an annual digital rectal examination for a policyholder  
5 identified under subsection (b).

6 (b) The coverage required under this section shall be  
7 provided for all of the following:

8 (1) A policyholder who meets all of the following criteria:

9 (i) The policyholder is a man who is fifty (50) years of age  
10 or older.

11 (ii) The policyholder is expected to live at least ten (10)  
12 or more years.

13 (iii) The policyholder is diagnosed by a physician as having  
14 an average risk of prostate cancer.

15 (iv) The policyholder has been informed by a physician of  
16 the uncertainties, risks and potential benefits of prostate  
17 cancer screenings in accordance with American Cancer Society  
18 guidelines for prostate cancer screening published as of January  
19 1, 2023.

20 (2) A policyholder who meets all of the following criteria:

21 (i) The policyholder is a man who is forty-five (45) years  
22 of age or older.

23 (ii) The policyholder is diagnosed by a physician as having  
24 a high risk of prostate cancer as determined by any of the  
25 following:

26 (A) The policyholder had one first-degree relative who had  
27 prostate cancer before attaining sixty-five (65) years of age.

28 (B) The policyholder is African American.

29 (C) The policyholder has any other indicator of a high risk  
30 of prostate cancer.

1 (iii) The policyholder has been informed by a physician of  
2 the uncertainties, risks and potential benefits of prostate  
3 cancer screenings in accordance with American Cancer Society  
4 guidelines for prostate cancer screening published as of January  
5 1, 2023.

6 (3) A policyholder who meets all of the following criteria:

7 (i) The policyholder is a man who is forty (40) years of age  
8 or older.

9 (ii) The policyholder has been diagnosed by a physician as  
10 having a higher risk of prostate cancer by having more than one  
11 first-degree relative who had prostate cancer before attaining  
12 sixty-five (65) years of age.

13 (iii) The policyholder has been informed by a physician of  
14 the uncertainties, risks and potential benefits of prostate  
15 cancer screenings in accordance with American Cancer Society  
16 guidelines for prostate cancer screening published as of January  
17 1, 2023.

18 (c) The coverage required under this section shall be  
19 subject to annual deductibles, coinsurance and copayment  
20 requirements imposed by an insurer subject to this section for  
21 similar coverages under the same health insurance policy or  
22 contract.

23 (d) The following words and phrases when used in this  
24 section shall have the meanings given to them in this subsection  
25 unless the context clearly indicates otherwise:

26 "Digital rectal examination" means an internal examination of  
27 the rectum that is performed by a health care provider for the  
28 purpose of identifying body abnormalities.

29 "First-degree relative" means a father, brother or son.

30 "Health insurance policy" means a policy, subscriber

1 contract, certificate or plan issued by an insurer that provides  
2 medical or health care coverage. The term does not include:

3 (1) Accident only.

4 (2) Credit only.

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

6 (4) Specified disease.

7 (5) Medicare supplement.

8 (6) TRICARE, including a Civilian Health and Medical Program  
9 of the Uniformed Services (CHAMPUS) supplement.

10 (7) Fixed indemnity.

11 (8) Dental only.

12 (9) Vision only.

13 (10) Workers' compensation.

14 (11) Automobile medical payment under 75 Pa.C.S. (relating  
15 to vehicles).

16 "Insurer" means an entity licensed by the Insurance  
17 Department with accident and health authority to issue a policy,  
18 subscriber contract, certificate or plan that provides medical  
19 or health care coverage that is offered or governed under any of  
20 the following:

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

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

24 (3) 40 Pa.C.S. Ch. 61 (relating to hospital plan  
25 corporations) or 63 (relating to professional health services  
26 plan corporations).

27 "Prostate cancer screening" means tests and other measures  
28 used to detect prostate cancer that adhere to the American  
29 Cancer Society guidelines on screening for prostate cancer  
30 published as of January 1, 2023.

1       "Prostate-specific antigen blood test" means a blood test  
2 that measures the level of prostate-specific antigen in the  
3 blood for the purpose of screening men for the occurrence of  
4 prostate cancer.

5       Section 2. This act shall take effect in 60 days.