

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 146 Session of
2007

INTRODUCED BY TOMLINSON, RHOADES, FONTANA, STOUT, KITCHEN,
COSTA, ORIE, MUSTO, RAFFERTY, PUNT, WONDERLING, ERICKSON,
WAUGH, C. WILLIAMS, ROBBINS, GREENLEAF, WASHINGTON, WOZNIAK,
LOGAN, O'PAKE, GORDNER, FERLO, PIPPY, REGOLA AND MELLOW,
MARCH 5, 2007

REFERRED TO BANKING AND INSURANCE, MARCH 5, 2007

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," mandating health insurance coverage
12 for colorectal 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 635.2. Coverage for Colorectal Cancer Screening.--
19 (a) Except to the extent already covered under another policy,
20 all health insurance policies as defined in this section shall
21 also provide coverage for colorectal cancer screening for

1 covered individuals in accordance with the most recently
2 published American Cancer Society guidelines for colorectal
3 cancer screening and consistent with approved medical standards
4 and practices.

5 (1) Coverage for nonsymptomatic covered individuals who are
6 fifty (50) years of age or older shall include, but not be
7 limited to:

8 (i) An annual fecal occult blood test.

9 (ii) A sigmoidoscopy, a screening barium enema or a test
10 consistent with approved medical standards and practices to
11 detect colon cancer, at least once every five (5) years.

12 (iii) A colonoscopy at least once every ten (10) years.

13 (2) Coverage for symptomatic covered individuals shall
14 include a colonoscopy, sigmoidoscopy or any combination of
15 colorectal cancer screening tests at a frequency determined by a
16 treating physician.

17 (3) Coverage for nonsymptomatic covered individuals who are
18 at high or increased risk for colorectal cancer who are under
19 fifty (50) years of age shall include a colonoscopy or any
20 combination of colorectal cancer screening tests in accordance
21 with the most recently published American Cancer Society
22 guidelines on screening for colorectal cancer.

23 (b) The coverage required under this section shall be
24 subject to annual deductibles, coinsurance and copayment
25 requirements imposed by an entity subject to this section for
26 similar coverages under the same health insurance policy or
27 contract.

28 (c) For the purpose of this section:

29 (1) "Health insurance policy" means any individual or group
30 health, sickness or accident policy or subscriber contract or

1 certificate issued by an entity subject to any one of the
2 following:

3 (i) This act.

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

6 (iii) The act of May 18, 1976 (P.L.123, No.54), known as the
7 "Individual Accident and Sickness Insurance Minimum Standards
8 Act."

9 (iv) 40 Pa.C.S. Ch. 61 (relating to hospital plan
10 corporations) or 63 (relating to professional health services
11 plan corporations).

12 (v) Medical assistance.

13 The term does not include accident only, fixed indemnity,
14 limited benefit, credit, dental, vision, specified disease,
15 Medicare supplement, Civilian Health and Medical Program of the
16 Uniformed Services (CHAMPUS) supplement, long-term care or
17 disability income, workers' compensation or automobile medical
18 payment insurance.

19 (2) "Colonoscopy" means an examination of the rectum and the
20 entire colon using a lighted instrument called a colonoscope.

21 (3) "Colorectal cancer screening" means any of the following
22 procedures that are furnished to an individual for the purpose
23 of early detection of colorectal cancer:

24 (i) Screening fecal-occult blood or fecal immunochemical
25 test.

26 (ii) Screening flexible sigmoidoscopy.

27 (iii) Screening colonoscopy.

28 (iv) Screening barium enema.

29 (v) Screening test consistent with approved medical
30 standards and practices to detect colon cancer.

1 (4) "Nonsymptomatic person at high or increased risk" means
2 an individual who poses a higher than average risk for
3 colorectal cancer according to the most recently published
4 American Cancer Society guidelines.

5 (5) "Symptomatic person" means an individual who experiences
6 a change in bowel habits, rectal bleeding or persistant stomach
7 cramps, weight loss or abdominal pain.

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