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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2159 Session of  
2024

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INTRODUCED BY GALLAGHER, KHAN, WARREN, DONAHUE, HARKINS, GIRAL,  
HOHENSTEIN, HOGAN, WAXMAN, PROBST, POWELL, MALAGARI,  
T. DAVIS, SCHLOSSBERG, PIELLI, CERRATO, BOROWSKI, JOZWIAK,  
CURRY, PARKER, NEILSON, HILL-EVANS, BRENNAN, MAYES, FRIEL,  
SANCHEZ, SHUSTERMAN, DALEY, CIRESI, RABB, WEBSTER, KENYATTA,  
PASHINSKI AND BOYD, MARCH 26, 2024

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REFERRED TO COMMITTEE ON INSURANCE, MARCH 26, 2024

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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 coverage for colorectal cancer screening.

13 The General Assembly of the Commonwealth of Pennsylvania  
14 hereby enacts as follows:

15 Section 1. Section 635.3 of the act of May 17, 1921  
16 (P.L.682, No.284), known as The Insurance Company Law of 1921,  
17 is amended to read:

18 Section 635.3. 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 American Cancer Society  
2 guidelines for colorectal cancer screening published as of  
3 [January 1, 2008] May 30, 2018, and consistent with approved  
4 medical standards and practices.

5 (1) Coverage for nonsymptomatic covered individuals who are  
6 [fifty (50)] forty-five (45) years of age or older shall  
7 include, but not be limited to:

8 (i) An annual fecal occult blood test or fecal  
9 immunochemical test.

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

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

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

18 (3) Coverage for nonsymptomatic covered individuals who are  
19 at high or increased risk for colorectal cancer who are under  
20 [fifty (50)] forty-five (45) years of age shall include a  
21 colonoscopy or any combination of colorectal cancer screening  
22 tests in accordance with the American Cancer Society guidelines  
23 on screening for colorectal cancer published as of [January 1,  
24 2008] May 30, 2018.

25 (b) The coverage required under this section shall be  
26 subject to annual deductibles, coinsurance and copayment  
27 requirements imposed by an entity subject to this section for  
28 similar coverages under the same health insurance policy or  
29 contract. The coverage required under this section shall not be  
30 subject to prior authorization or require any form of advanced

1 notification to an insurer.

2 (c) For the purpose of this section:

3 (1) "Health insurance policy" means any group health,  
4 sickness or accident policy or subscriber contract or  
5 certificate offered to groups of fifty-one (51) or more employes  
6 issued by an entity subject to any one of the following:

7 (i) This act.

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

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

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] CT colonography.

1     (vi) Multi-target stool DNA test.

2     (vii) Screening test consistent with approved medical  
3 standards and practices to detect colon cancer.

4     (4) "Nonsymptomatic person at high or increased risk" means  
5 an individual who poses a higher than average risk for  
6 colorectal cancer according to the American Cancer Society  
7 guidelines on screening for colorectal cancer as of [January 1,  
8 2008] May 30, 2018.

9     (5) "Symptomatic person" means an individual who experiences  
10 a change in bowel habits, rectal bleeding or persistent stomach  
11 cramps, weight loss or abdominal pain.

12     Section 2. This act shall apply as follows:

13         (1) For health insurance policies for which either rates  
14 or forms are required to be filed with the Federal Government  
15 or the Insurance Department, this act shall apply to any  
16 policy for which a form or rate is first filed on or after  
17 the effective date of this paragraph.

18         (2) For health insurance policies for which neither  
19 rates nor forms are required to be filed with the Federal  
20 Government or the Insurance Department, this act shall apply  
21 to any policy issued or renewed on or after 180 days after  
22 the effective date of this paragraph.

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