

LEG REG REVIEW

2025, 2nd Issue, January 26, 2025

LEG REG REVIEW is a periodic newsletter produced by Vince Phillips who retired from active lobbying after 31 years of advocacy in Harrisburg. It contains news on the legislative and regulatory scene in Pennsylvania that may be of interest to the Insurance and Business Communities. Annual subscriptions are \$100 and information may be obtained by contacting PHILLIPS ASSOCIATES at 717/728-1217 or e-mail to xenobun@aol.com.

HOUSE LOSES A MEMBER

On January 19, Rep. Matthew Gergely (D-Allegheny) died due to an unspecified medical emergency that had prevented him from participating in the opening days of the 2025-26 session of the General Assembly. Fellow Rep. Aerion Abney (D-Allegheny) posted this tribute on January 14:

*Matt was a treasured member of the Allegheny County House Democratic Delegation – there to offer support, advice, or a quick joke when needed. He fought hard for his community as a state representative, bringing resources back to his district and championing critically important issues. His legacy will live on through the impact of his work, including his prime-sponsored bills that are now law: **Act 6 and Act 57 of 2024**.*

NOTE: Act 6, House Bill 1795, amended the Clinical Laboratory Act to exempt certain plasma donation centers from oversight by the PA Department of Health. **Act 57, House Bill 829**, contains 20 changes to the Liquor Code such as increasing the number of Happy Hours from 14 to 24 hours per week. Although Rep. Gergely did not live to see legislative action in 2025, he co-authored a sponsorship memo prohibiting health insurers from discriminating against people solely on their prescription for PrEP or PEP, anti - HIV drugs.

The death results in a vacancy which again results in equal numbers of Republicans and Democrats in the House. A special election has been called for March 25 in this Democratic legislative district.

COMMITTEE WORK

A necessary first step in the legislative process is committee consideration after a bill is introduced.

The Senate has six committee meetings through January 28 that will review 17 bills, none of which explicitly impact insurance. Committees are Consumer Protection & Professional Licensure, Health & Human Services, Labor & Industry, Environmental Resources & Energy, Transportation, and Veterans Affairs & Emergency Preparedness. In addition, there is a committee hearing scheduled on helping consumers to better understand their electric bills. **The Senate Banking & Insurance Committee has not scheduled a meeting at this time.**

From January 27 through February 3, there are 29 House committee-scheduled meetings. Many are the committees' reorganizations needed for them to begin their work this year. In this time frame, 15 bills and four Resolutions will be considered by House committees. The House Aging & Older Adult Services Committee, has informational meetings on direct care and homecare workers, and on the Area Agencies on Aging. Not related to insurance but of interest to many is a February 3 meeting of the House Game & Fisheries Committee to discuss on what opening day deer hunting should begin – Deer hunting legislation is one of the most difficult perennial issues the legislature faces every session.

HOUSE INSURANCE COMMITTEE TO MEET

The House Insurance Committee is convening its first meeting under new Majority Chair Perry Warren (D-Bucks) on January 28. Rep. Tina Pickett (R-Bradford) continues in her role as Minority Chair. There are three bills listed on the committee's agenda:

- **House Bill 111**(Curry-D-Delaware) prohibits insurers from denying coverage to individuals just because they have an opioid reversal agent such as naloxone listed in their prescription profiles.
- **House Bill 211** (Warren-D-Bucks) **and House Bill 261** (Pickett-R-Bradford) seek to update obsolete language found in the Insurance Company Law and the Medical Foods Coverage Act.

Terms such as ‘mental retardation’ and ‘physical handicap’ are seen to carry stigmas and would be changed respectively to ‘intellectual disability’ and ‘physical disability’.

As of January 26, the Insurance Committee held two additional bills for future consideration. They are **House Bill 117** (Ciresi-D-Montgomery) which would specify that insurance companies that send a claim check that includes EMS reimbursements provide a “*very noticeable, red-colored letter*” to the policyholder to remit that reimbursement to the EMS service. Rep. Ciresi’s sponsorship memo states that policyholders are now confused when they receive an unexplained check from the insurer. The second bill, **House Bill 281** (McNeill-D-Lehigh), mandates health insurance coverage for prostate cancer screenings.

In addition, the Insurance Committee is having a joint informational meeting on January 29 with the House Human Services Committee to discuss Traumatic Brain Injury: Care Needs and Coverage Options.

ASSOCIATION HEALTH PLANS SEE VISIBILITY IN THE U.S. HOUSE

With the GOP controlling the U.S. House of Representatives, Republicans serve as Majority Chairs of congressional committees. One is the House Education and the Workforce Committee which is responsible for ERISA legislation. It is now chaired by Rep. Tim Walberg (R-Michigan), a strong supporter of Association Health Plans (AHPs). Following is his statement before this committee on January 15:

More than 150 million Americans have employer-sponsored health insurance, or ESI, which falls squarely under this Committee’s jurisdiction. ESI is at the forefront of creating innovative and market-based solutions that expand affordable health coverage for American families. The Committee will continue to fight for proven solutions to drive down health care costs, like the Association Health Plans Act, as well as legislation that improves billing and coverage transparency for employers, like the policies that were incorporated into the Lower Costs, More Transparency Act. The link follows:

<https://edworkforce.house.gov/calendar/eventsingle.aspx?EventID=412141>.

In the last session of Congress, Rep. Walberg introduced H.R.2868. A co-sponsor was PA Rep. J.T. Thompson. Following is a link: <https://www.govtrack.us/congress/bills/118/hr2868>. **NOTE:** Elected in 2024, U.S. Rep. Ryan Mackenzie (R-PA) is a new member of this committee.

AHPs AND PENNSYLVANIA

The PA Insurance Department has traditionally opposed AHPs and Multiple Employer Welfare Arrangements. When President Trump issued his 2018 policy encouraging AHPs by changing a definition within ERISA allowing this type of employer-offered insurance, there was a provision recognizing the authority of state Departments of Insurance. Association Health Plans allow businesses not from the same industry to band together as one unit whose larger size would give them a better place in negotiating insurance premiums with the carriers. The Insurance Department has opposed these arrangements as prone to fraud and cherry-picking.

As of January 26, there are no bills introduced or co-sponsorship memos being circulated on AHPs.

INDUSTRY NOTES

- PA Association of Mutual Insurance Companies (PAMIC) Annual Spring Conference will be held at the Hershey Lodge March 17 and 18. Details: pamic@pamic.org or 717-303-0197.
- Insurance Agents & Brokers (IA&B) website lists a seminar on the PA Compensation Rating Bureau’s Workers Comp Filing. **NOTE:** Details are available to IA&B members only. Link: <https://www.iabforme.com/2025/01/22/insights-on-pcrb-workers-comp-data-filing-3/>.
- PA-NABIP (National Association of Benefits and Insurance Professionals) Annual Conference is scheduled for April 2 in Drexel Hill, PA. Details: Karen Weinlader at 215-771-6050 or KWeinlader@pa-nabip.org.