

LEG REG REVIEW

2024, 6th Issue March 24, 2024

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.

INSURANCE COMITTEE HAS NEW CHAIR

Rep. Patty Kim (D-Dauphin/Cumberland) is the new Majority Chair of the House Insurance Committee. She replaced Rep. Kevin Boyle (D-Phila.) who left his position for personal reasons.

Majority Chair Kim began her work in the 2013-14 legislative session. Research did not find any insurance bills for which she was the prime sponsor. **She co-sponsored 24 bills specifically relating to insurance.** Numerically, there were four in the 2013-14 session, three in 2015-16, none in 2017-18, eight in 2019-20, three in 2021-22, and six in the current legislative session. Of these bills, two became law in 2019: **Act 98 of 2019** regarding fraternal benefit societies and **Act 42 of 2019** establishing the PA Health Insurance Exchange (also known as Pennie). Rep. Tina Pickett (R-Bradford) remains Minority Chair of the House Insurance Committee.

Here is the bill breakdown by topic:

Topic	Number of Bills	Bill Numbers/Session(s)
Affordable Care Act	three	HB 897 in 2013-14; HB 469 in 2019-20; HB 3 in 2019-20 (Act42)
<i>Expansion of Medicaid coverage per ACA; minimum essential benefits; PA health exchange</i>		
Business Insurance	two	HB 2759 in 1019-20; HB 505 in 2023-24
<i>Expedited attentiveness and prompt settlement of disaster/pandemic claims</i>		
CHIP	one	HB 1695 in 2013-14
<i>Eliminates 6-month waiting period</i>		
Family/Medical Family Leave	three	HB 1739 in 2019-20; HB 1200 in 2021-22; HB 181 in 2023-24
<i>In addition to authorizing paid leave, it sets up an Insurance Fund which is funded by payroll deduction</i>		
Flood Insurance	one	HR 648 in 2013-14
<i>Asks US Congress to review Biggert-Waters because of large increases in Flood Insurance premiums</i>		
Life Insurance	one	HB 1016 in 2019-20 (Act 98)
<i>Fraternal benefit societies</i>		
Mandated Benefits		
- EPI Pens	one	HB 1843 in 2019-20
- Hearing Aids	two	HB 2105 in 2019-20; HB 1609 in 2023-24
- HIV Drugs	one	HB 1880 in 2015-16
- Lead Screening	one	HB 1917 in 2015-16
- Long-Term Care	one	HB 205 in 2015-16
<i>Employees of LTC facilities may not be insurance producers</i>		
- Maternity Care	two	HB 2097 in 2023-24; HB 1075 in 2023-24
<i>Expand maternal blood pressure monitoring; extra hospital day for maternity</i>		

- **Parity** one HB 168 in 2013-14
Equal access to chem therapy for treating cancer
- **Prostate cancer screenings** two HB 2842 in 2021-22; HB 531 in 2023-24
- **Telemedicine** one HB 2454 in 2019-20
Insurance coverage for remote health care claims

SWIF one Hb 2168 in 2021-22
State Workers insurance Fund would be able to sell health insurance in addition to Workers Comp

HOUSE INSURANCE COMMITTEE TO MEET

On March 25, the House Insurance Committee meets to consider four bills:

- **House Bill 1512** (Sappey-D-Chester) establishes a regulatory framework for Telemedicine and health insurance payments of remote health care claims.
- **House Bill 2096** (Warren-D-Bucks) allows Surplus Lines licensees to charge service fees for placing an Excess & Surplus Lines (E&S) policy; Personal lines E&S fees may not exceed \$150 or 4-percent of the premium; Commercial Fees ; Commercial fees shall be “*reasonable in relation to cost of underwriting, issuing, and processing the policy*”; Fees shall be reported monthly.
- **House Bill 660** (Schlossberg-D-Lehigh) establishes a regulatory framework for writing Pet Insurance.
- **House Bill 1664** (Scott-D-Montgomery) requires that health insurers provide to dentists a claims submission option instead of virtual credit card payments.

DEMOCRATS HAVE 102-100 MAJORITY

With the March 18 swearing in of Democrat Jim Prokopiak who won a special election in Bucks County, Democrats solidified their razor-thin majority by one. The 102 to 100 seat margin means that Democrats retain control of the House. Assuming the GOP wins the next special election on April 23 in a Republican Wayne County district, the Democrat majority shrinks back to one.

LEGISLATIVE UPDATES

- On March 18, the House voted 139-62 to pass **House Bill 1201** regarding consumer rights related to personal data and limit types of data that can be collected as well as disclosure of how the data is used. There is an explicit exemption for those entities (insurers, insurance agencies, insurance producers, business associates, other financial institutions, etc.) governed by the Gramm-Leach, Bliley Act of 1999 and/or HIPAA. Despite the exemption, insurance consumers are still affected by HB 1201 in their dealings with others. Following is a link to a summary of the bill prepared by House Appropriations Committee Democratic staff: <https://www.legis.state.pa.us/WU01/LI/BI/FN/2023/0/HB1201P2442.pdf>.
- On the Senate calendar is **Senate Bill 365** (Bartolotta-R-Beaver/Greene/Washington) which extends Workers Compensation coverage to first responders suffering from post-traumatic stress injuries. On the House side, a companion bill saw committee action earlier this month. The House Veteran Affairs & Emergency Preparedness Committee reported **House Bill 1632** (O’Mara-D-Delaware) on March 4.

REGULATORY UPDATES

The Governor’s Office is required to publish a list of proposed regulations. (54 Pa.B.1471)

Notaries Public	Spring 2024,	The rulemaking implements the act of October 9, 2013 (P.L. 609, No. 73), which adopted the Revised Uniform Law on Notarial Acts (RULONA). Additional stakeholder outreach conducted; preparation and finalization of proposed rulemaking package currently underway.	Martha Brown (717) 783-0736
4 Pa. Code Part VIII,	as Proposed		

NOTE: Everett Cash Mutual filed an application to delete its authority to sell health and accident insurance.