

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2219 Session of
2024

INTRODUCED BY SHUSTERMAN, PIELLI, KINKEAD, POWELL, SIEGEL,
HOHENSTEIN, SANCHEZ, BIZZARRO, D. WILLIAMS, BOYD, DELLOSO,
SCHLOSSBERG, GREEN, CONKLIN, DALEY AND KINSEY, APRIL 16, 2024

REFERRED TO COMMITTEE ON INSURANCE, APRIL 16, 2024

AN ACT

1 Amending Title 40 (Insurance) of the Pennsylvania Consolidated
2 Statutes, in regulation of insurers and related persons
3 generally, repealing provisions relating to compliance with
4 Federal health care legislation.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Chapter 33 of Title 40 of the Pennsylvania
8 Consolidated Statutes is repealed:

9 [CHAPTER 33

10 COMPLIANCE WITH FEDERAL

11 HEALTH CARE LEGISLATION

12 Sec.

13 3301. Definitions.

14 3302. Opt-out for abortion.

15 § 3301. Definitions.

16 The following words and phrases when used in this chapter
17 shall have the meanings given to them in this section unless the
18 context clearly indicates otherwise:

1 "Abortion." The term shall have the same meaning given to it
2 in 18 Pa.C.S. § 3203 (relating to definitions).

3 "Complication." The term shall have the same meaning given
4 to it in 18 Pa.C.S. § 3203 (relating to definitions).

5 "Health insurance exchange." The term shall mean an
6 insurance system established to comply with section 1311(b) or
7 1321(c) of the Patient Protection and Affordable Care Act
8 (Public Law 111-148, 42 U.S.C. § 18031(b) or 18041(c)).

9 § 3302. Opt-out for abortion.

10 (a) Prohibition.--The Commonwealth of Pennsylvania hereby
11 elects pursuant to the authority granted the states under
12 section 1303(a) of the Patient Protection and Affordable Care
13 Act (Public Law 111-148, 42 U.S.C. § 18023(a)) to prohibit
14 certain abortion coverage in qualified health plans offered
15 through the health insurance exchange under subsection (b).

16 (b) Included coverage prohibition.--No qualified health plan
17 offered in this Commonwealth through the health insurance
18 exchange shall include coverage for the performance of any
19 abortion unless the reason the abortion is performed is one for
20 which the expenditure of public funds would be permitted under
21 18 Pa.C.S. § 3215(c) (relating to publicly owned facilities;
22 public officials and public funds).

23 (c) Excluded coverage prohibited.--No qualified health plan
24 offered in this Commonwealth through a health insurance exchange
25 shall exclude coverage for:

26 (1) Treatment of any postabortion complication.

27 (2) Treatment of any miscarriage or any complication
28 related to a miscarriage.

29 (d) Option.--Nothing in this section shall prohibit an
30 individual from purchasing optional supplemental abortion

1 coverage provided the individual pays a separate premium for the
2 coverage and obtains the coverage outside of the health
3 insurance exchange.]

4 Section 2. This act shall take effect immediately.