
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 909 Session of
2017

INTRODUCED BY FOLMER, MENSCH, VULAKOVICH, MARTIN AND STEFANO,
SEPTEMBER 26, 2017

REFERRED TO BANKING AND INSURANCE, SEPTEMBER 26, 2017

AN ACT

1 Amending Title 40 (Insurance) of the Pennsylvania Consolidated
2 Statutes, in general provisions, providing for health
3 insurance coverage not required.

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

6 Section 1. Title 40 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 102. Health insurance coverage not required.

9 (a) General.--No resident of this Commonwealth, regardless
10 of whether the resident has or is eligible for health insurance
11 coverage under any policy or program provided by or through the
12 resident's employer, or a plan sponsored by the Federal
13 Government or the Commonwealth, shall be required to obtain or
14 maintain a policy of individual insurance coverage except as
15 required by a court or the Department of Human Services where an
16 individual is named a party in a judicial or administrative
17 proceeding. No provision of law shall render a resident of this
18 Commonwealth liable for a penalty, assessment, fee or fine as a

1 result of the resident's failure to procure or obtain health
2 insurance coverage.

3 (b) Applicability.--This section shall not apply to:

4 (1) Individuals voluntarily applying for coverage under
5 a State-administered program under Title XIX of the Social
6 Security Act (49 Stat. 620, 42 U.S.C. §§ 1396-1396v) or XXI
7 of the Social Security Act (49 Stat. 620, 42 U.S.C. §§
8 1397aa-1397mm).

9 (2) Students being required by an institution of higher
10 education to obtain and maintain health insurance as a
11 condition of enrollment.

12 (c) Rights.--Nothing in this section shall impair the rights
13 of persons to privately contract for health insurance for family
14 members or former family members.

15 Section 2. This act shall take effect immediately.