

Medical Service Corporation Act.”

(6) All other acts or parts of acts in so far as they are inconsistent with the provisions of this act.

Section 4. This act shall take effect immediately.

APPROVED—The 27th day of December, A. D. 1965.

WILLIAM W. SCRANTON

No. 507

AN ACT

SB 773

Amending the act of May 5, 1933 (P. L. 289), entitled “An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations,” making further provisions relating to nonprofit medical, dental and osteopathic service corporations; extending the provisions of said act relating to the furnishing of medical, dental and osteopathic services by nonprofit medical, dental and osteopathic service corporations so as to include the furnishing of optometric services to subscribers and their dependents, and providing that the articles of incorporation of existing nonprofit medical, dental and osteopathic service corporations are amended by the provisions of this act so as to authorize the furnishing of optometric services by doctors of optometry.

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

Section 1. Clause (4) of section 4, act of May 5, 1933 (P. L. 289), known as the “Nonprofit Corporation Law,” amended April 18, 1949 (P. L. 583) and May 12, 1949 (P. L. 1274), is amended to read:

Section 4. Scope of Act.—This act does not relate to, does not affect, and does not apply to—

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(4) Any corporation which, by the laws of this Commonwealth is subject to the supervision of the Department of Banking, the Insurance Department, the Pennsylvania Public Utility Commission, or the Water and Power Resources Board: Provided, however, That corporations, subject by law to the limited supervision of the Insurance Department, may be incorporated under, and in accordance with, the provisions of this

act, for the purpose of establishing, maintaining and operating a non-profit hospital plan, whereby hospitalization may be provided to subscribers of such plan by any hospital with which such corporations have a contract for such hospitalization, or for the purpose of establishing, maintaining, and operating a nonprofit medical, [and] dental, osteopathic and optometric service plan, whereby medical, [or] dental, osteopathic or optometric services may be provided through any doctor of medicine or any doctor of dental surgery in his capacity as a staff member of an accredited hospital, or any doctor of osteopathy or doctor of optometry to subscribers of low income and over-income and their dependents.

Section 2. Section 219 of the act, amended April 18, 1949 (P. L. 583), May 11, 1949 (P. L. 1119), and May 12, 1949 (P. L. 1274), is amended to read:

Section 219. Special Procedure for Incorporation of Nonprofit Medical, [and] Dental, Osteopathic and Optometric Service Corporations.—

(a) Nine or more natural persons of full age and of either sex, married or single, all of whom are residents of the Commonwealth and citizens of the United States: Provided, however, That a majority of said persons are doctors of medicine, may form a nonprofit corporation, under the provisions of this act, having for its purpose the establishing, maintaining, and operating of a nonprofit medical, [and] dental, osteopathic and optometric service plan, whereby medical, [or] dental, osteopathic or optometric services may be provided to persons of low income and persons of over-income and their dependents: Provided, however, That in the case of a nonprofit corporation created under this act the primary purpose of which is to provide an optometric service plan in accordance with this act and related acts, the incorporators shall be nine or more natural persons of full age and of either sex, married or single, all of whom are residents of this Commonwealth and citizens of the United States, a majority of whom are duly licensed optometrists.

The requisites for persons of low income eligible for medical, dental, osteopathic or optometric services shall be fixed from time to time by the members of such corporation. Such requisites shall afford due consideration to the marital status and to the number of dependents of the persons involved, and shall be consistent with the policy of providing medical, dental, osteopathic or optometric services to persons who are

unable to provide such services for themselves or their dependents without depriving themselves or their dependents of such necessities of life as food, clothing, and shelter, and requisites thus fixed shall be subject to the approval of the Insurance Commissioner of the Commonwealth of Pennsylvania. All persons not meeting the requisites for persons of low income as thus fixed shall be persons of over-income.

(b) For the purposes of this act only and not for the purposes of defining medical practice, [or] dental practice, osteopathic practice or optometric practice as such, the terms stated below have the meanings assigned to them respectively.

“Medical services” means the general and usual services rendered and care administered by doctors of medicine as defined in the Medical Practice Act. “Dental services” means the general and usual services rendered by doctors of dental surgery serving in the capacity of staff members of accredited hospitals, provided such services are rendered in an accredited hospital. “Osteopathic services” means the general and usual services administered by doctors of osteopathy as defined in the osteopathic practice act, and “optometric services” means the general and usual services rendered and care administered by doctors of optometry as defined in the act of March 30, 1917 (P. L. 21), and its amendments.

“Persons with dependents” means any person who furnishes other persons with their chief support, whether or not such dependent person is related to or living with him.

“Subscribers of low income” means persons of low income who subscribe to a nonprofit medical, [and] dental, osteopathic and optometric service corporation plan.

“Subscribers of over-income” means persons of over-income who subscribe to a nonprofit medical, [and] dental, osteopathic and optometric service corporation plan.

“Department of Health” means the Department of Health of the Commonwealth.

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Section 3. Section 317 of the act, amended April 18, 1949 (P. L. 583), and May 12, 1949 (P. L. 1274), is amended to read:

Section 317. Requirements of Nonprofit Medical, [and] Dental, Osteopathic and Optometric Service Corporations.—No nonprofit medical, [and] dental, osteopathic and optometric service corporation shall be incorporated under this act, unless it has set up a minimum reserve of

twenty-five thousand dollars for the exclusive purpose of meeting the contractual obligations of its subscribers: Provided, however, That all or any part of said twenty-five thousand dollars may be in the form of borrowed money to be repaid in whole or in part from surplus only when authorized by two-thirds of the duly constituted members of the board of directors of such corporation and approved by the Insurance Commissioner of the Commonwealth.

Section 4. Section 510 of the act, amended December 9, 1955 (P. L. 818), is amended to read:

Section 510. Board of Directors of Nonprofit Medical, Dental, [and] Osteopathic and Optometric Service Corporations.—The business of every nonprofit medical, dental, [and] osteopathic and optometric service corporation, except nonprofit dental service corporations, incorporated under the provisions of section two hundred twenty of this act, shall be managed by at least nine natural persons of full age and of either sex, all of whom shall be residents of the Commonwealth and citizens of the United States: Provided, however, That a majority of said persons shall at all times be doctors of medicine. Nonprofit dental service corporations, incorporated under section two hundred twenty of this act, shall be managed by at least twenty-five natural persons of full age and of either sex, all of whom shall be residents of the Commonwealth and citizens of the United States, a majority of whom shall at all times be doctors of dental surgery. In the case of nonprofit corporations incorporated under this act the primary purpose of which is to provide an optometric service plan in accordance with this act and related acts, such corporation shall be managed by at least nine natural persons of full age and of either sex, all of whom shall be residents of the Commonwealth and citizens of the United States, a majority of whom shall at all times be duly licensed optometrists.

Section 5. Section 1005 of the act, amended April 18, 1949 (P. L. 583), and May 12, 1949 (P. L. 1274), is amended to read:

Section 1005. Dissolution.—No nonprofit medical, [and] dental, osteopathic and optometric service corporation subject to the provisions of this act and its amendments, shall be dissolved, in the manner provided by law, except with the prior approval of the Insurance Department. No court of common pleas shall enter a decree dissolving such a corporation unless and until a certificate of approval by the Insurance Department is filed with such court. Any dissolution or liquidation of

a corporation subject to the provisions of this act shall be under the supervision of the Insurance Commissioner, who shall have all powers with respect thereto granted to him under existing laws governing the dissolution or liquidation of insurance companies.

Section 6. The provisions of this act authorizing nonprofit medical, dental, osteopathic and optometric service corporations to provide medical services by doctors of medicine, dental services by doctors of dental surgery, osteopathic services by doctors of osteopathy, or optometric services by doctors of optometry, to subscribers of low income and their dependents, and to subscribers of over-income and their dependents, shall be applicable to any nonprofit medical service corporation heretofore incorporated under the provisions of the "Nonprofit Corporation Law," and its amendments, and the articles of incorporation of any such corporation heretofore formed, are hereby amended by the provisions of this act so as to authorize any such corporation to furnish optometric services by doctors of optometry.

APPROVED—The 27th day of December, A. D. 1965.

WILLIAM W. SCRANTON

No. 508

AN ACT

SB 1037

Amending the act of May 26, 1891 (P. L. 123), entitled "An act to facilitate the labors of the justices of the Supreme Court by providing suitable clerical assistance," increasing the expense allowances of judges.

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

Section 1. Section 1, act of May 26, 1891 (P. L. 123), entitled "An act to facilitate the labors of the justices of the Supreme Court by providing suitable clerical assistance," amended April 4, 1919 (P. L. 48), is amended to read:

Section 1. Be it enacted, &c., That to facilitate the labors of the judges of the Supreme Court and to reimburse them for expenses incurred in the discharge of their duties or attendant upon the execution of the duties of the office, each of the said judges is authorized to pay such expenses and to employ such briefers, investigators, stenographers, typewriters, and clerks, as in his judgment may be necessary, but in no case shall such expense, together with the compensation of such briefers,