

## No. 1994-14

## AN ACT

## SB 515

Amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, adding provisions relating to speech-language pathologists, audiologists and teachers of persons who are hearing impaired.

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

Section 1. Sections 6302 and 6322(f) of Title 40 of the Pennsylvania Consolidated Statutes are amended to read:

§ 6302. Definitions.

(a) General rule.—The following words and phrases when used in this chapter shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

“Ancillary health services.” The general and usual services rendered and care administered by ancillary health service providers as defined herein.

“Ancillary health service providers.” The following persons duly licensed or certified under the laws of this Commonwealth to provide ancillary health services: Clinical laboratory permittees as defined in the act of September 26, 1951 (P.L.1539, No.389), known as The Clinical Laboratory Act.

“Chiropractic services.” The general and usual services rendered and care administered by doctors of chiropractic, as defined in the act of August 10, 1951 (P.L.1182, No.264), known as the Chiropractic Registration Act of 1951.

“Dental service corporation.” A corporation not-for-profit engaged in the business of maintaining and operating a nonprofit dental service plan.

“Dental services.” The general and usual services rendered and care administered by doctors of dental surgery, as defined in the act of May 1, 1933 (P.L.216, No.76), known as The Dental Law.

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

“General medical service corporation.” A corporation not-for-profit engaged in the business of maintaining and operating a nonprofit professional health service plan.

“Health care facility.” As defined in the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act.

“Health service doctor.” A doctor of dental surgery, doctor of medicine, doctor of optometry, doctor of osteopathy, doctor of podiatry, doctor of chiropractic, licensed physical therapist, certified registered nurse anesthetist, certified registered nurse practitioner, certified enterostomal therapy nurse, certified community health nurse, certified psychiatric mental health nurse,

certified clinical nurse specialist [or], licensed psychologist, *licensed speech-language pathologist, licensed audiologist or licensed teacher of persons who are hearing impaired.*

“Income.” Net income from gains, profits and net income derived from professions, vocations, trades, businesses, commerce or sales, or dealings in property, whether real or personal, growing out of the ownership or use of or interest in such property, also from interest, rent, dividends, securities, or the transaction of any business carried on for gain or profit, or gains or profits and income derived from any source whatever and income derived from salaries, wages or compensation for personal service of whatever kind and in whatever form paid.

“Low income.” Low income as set forth in section 6325 (relating to income status and effect).

“Medical services.” The general and usual services rendered and care administered by doctors of medicine, as defined in the act of December 20, 1985 (P.L.457, No.112), known as the Medical Practice Act of 1985.

“Nonprofit dental service plan.” A plan whereby for prepayment, periodical or lump sum payment dental services only may be provided to persons of low income or over-income and their dependents.

“Nonprofit optometric service plan.” A plan whereby for prepayment, periodical or lump sum payment optometric services only may be provided to persons of low income and over-income and their dependents.

“Nonprofit professional health service plan.” A plan whereby for prepayment, periodical or lump sum payment professional health services may be provided to persons of low income or over-income and their dependents. The term does not include a plan which is primarily a nonprofit dental service plan or a nonprofit optometric service plan.

“Optometric service corporation.” A corporation not-for-profit engaged in the business of maintaining and operating a nonprofit optometric service plan.

“Optometric services.” The general and usual services rendered and care administered by doctors of optometry, as defined in the act of June 6, 1980 (P.L.197, No.57), known as the Optometric Practice and Licensure Act.

“Osteopathic services.” The general and usual services rendered and care administered by doctors of osteopathy, as defined in the act of October 5, 1978 (P.L.1109, No.261), known as the Osteopathic Medical Practice Act.

“Over-income.” Over-income as set forth in section 6325 (relating to income status and effect).

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

“Physical therapy services.” The general and usual services rendered and care administered by licensed physical therapists, as defined as “physical therapy” in the act of October 10, 1975 (P.L.383, No.110), known as the Physical Therapy Practice Act.

“Podiatry services.” The general and usual services rendered and care administered by doctors of podiatry, as defined in the act of March 2, 1956 (1955 P.L.1206, No.375), known as the Podiatry Practice Act.

“Professional health service corporation.” A dental service corporation, a general medical service corporation, or an optometric service corporation.

“Professional health services.” **Dental services, medical services, optometric services, osteopathic services, podiatry services, chiropractic services, physical therapy services, psychological services, *speech-language pathology services, audiology services, services of teachers of persons who are hearing impaired***, certified registered nurse services provided by a certified registered nurse at any time except when the certified registered nurse is acting as an employee of a health care facility or of an anesthesiology group or any one or more of them, *provided any of the above-listed services are medically necessary.*

“Psychological services.” The general and usual services rendered and care administered by licensed psychologists as defined as the “practice of psychology” in the act of March 23, 1972 (P.L.136, No.52), known as the Professional Psychologists Practice Act.

“*Speech-language pathology services, audiology services and services of teachers of persons who are hearing impaired.*” *The general and usual services rendered and care administered by licensed speech-language pathologists, licensed teachers of persons who are hearing impaired or licensed audiologists, as defined in the act of December 21, 1984 (P.L.1253, No.238), known as the Speech-Language and Hearing Licensure Act.*

“Subscribers of low income.” Persons of low income who subscribe to a nonprofit professional health service plan, a nonprofit dental service plan[,] or a nonprofit optometric service plan.

“Subscribers of over-income.” Persons of over-income who subscribe to a nonprofit professional health service plan, a nonprofit dental service plan[,] or a nonprofit optometric service plan.

(b) Rule of construction.—The definitions specified in subsection (a) are for the purposes of this chapter only[,] and not for the purpose of defining dental practice, medical practice, optometric practice, osteopathic practice, podiatry practice, chiropractic practice, physical therapy practice [or], psychological practice, *speech-language pathology practice, audiology practice or the practice of teaching persons who are hearing impaired* as such.

§ 6322. Scope of service.

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(f) Legislative amendment of stated purposes of existing corporations.—The stated purposes of all existing general medical service corporations are hereby amended so as to include the furnishing of osteopathic, dental, optometric, podiatry, chiropractic, physical therapy [and], psychological, *speech-language pathology and audiology services and the*

*services of teachers of persons who are hearing impaired* through doctors of osteopathy, dentistry, optometry, podiatry and chiropractic and through licensed physical therapists [and], psychologists, *speech-language pathologists, audiologists and teachers of persons who are hearing impaired*, respectively.

Section 2. This act shall take effect in 60 days.

APPROVED—The 21st day of April, A.D. 1994.

ROBERT P. CASEY