

No. 2008-85

AN ACT

SB 180

Amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for burial details for veterans and for termination of certain health insurance benefits; and adding a definition of "ancillary service plans."

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

Section 1. Sections 705(a) and 7309(d) and (e) of Title 51 of the Pennsylvania Consolidated Statutes are amended to read:

§ 705. Burial details for veterans.

(a) Authority.—The department shall have the power to arrange for burial details for veteran soldiers who are to be interred in the Indiantown Gap National Cemetery *and the National Cemetery of the Alleghenies*.

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§ 7309. Employment discrimination for military membership or duty.

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(d) Termination of certain health insurance benefits.—

(1) As used in this subsection, the term "eligible member" applies to full-time students who are eligible for health insurance coverage *or ancillary service plans* under their parents' health insurance policies when the students are:

(i) members of the Pennsylvania National Guard or any reserve component of the armed forces of the United States who are called or ordered to active duty, other than active duty for training, for a period of 30 or more consecutive days; or

(ii) members of the Pennsylvania National Guard ordered to active State duty, including duty under 35 Pa.C.S. Ch. 76 (relating to Emergency Management Assistance Compact), for a period of 30 or more consecutive days.

(2) As used in this subsection, the term "full-time student" shall have the same meaning set forth in Chapter 32 (relating to Educational Assistance Program).

(3) The eligibility for health insurance coverage *or ancillary service plans* under a parent's health insurance policy for eligible members as defined in paragraph (1) shall be extended for a period equal to the duration of the eligible member's service on active duty or active State duty or until the eligible member is no longer a full-time student. The eligibility of an eligible member who is a full-time student for health insurance coverage *or ancillary service plans* under a parent's policy shall not terminate because of the age of the eligible member when the member's educational program was interrupted because of military duty.

(4) In order to qualify for this extension, the eligible member must:

(i) Submit a form approved by the Department of Military and Veterans Affairs notifying the insurer that the eligible member has been placed on active duty.

(ii) Submit a form approved by the Department of Military and Veterans Affairs notifying the insurer that the eligible member is no longer on active duty.

(iii) Submit a form approved by the Department of Military and Veterans Affairs showing that the student has reenrolled as a full-time student for the first term or semester starting 60 or more days after his or her release from active duty.

(5) The provisions of this subsection shall not apply to a health insurance policy *or ancillary service plan* that has been terminated.

(e) Definitions.—As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

“Ancillary service plans.” Any individual or group health insurance plan, subscriber contract or certificate that provides exclusive coverage for dental services or vision services.

“Health insurance policy.” An individual or group health, sickness or accident policy or subscriber contract or certificate issued by an entity subject to any one of the following:

(1) The act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921.

(2) The act of December 29, 1972 (P.L.1701, No.364), known as the Health Maintenance Organization Act.

(3) The act of May 18, 1976 (P.L.123, No.54), known as the Individual Accident and Sickness Insurance Minimum Standards Act.

(4) 40 Pa.C.S. Ch. 61 (relating to hospital plan corporations) or 63 (relating to professional health services plan corporations).

Section 2. This act shall take effect immediately.

APPROVED—The 25th day of September, A.D. 2008.

EDWARD G. RENDELL