

Bill Summary

COMMITTEE: Banking and Insurance

DATE: 6/17/10

PRIME SPONSOR: Greenleaf

BILL NO: SB1199

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PRINTER'S NO: 1612

A. Synopsis:

SB1199 establishes the Lyme and Related Tick-Borne Disease Education, Prevention, and Treatment Act, and creates a task force.

B. Summary:

SB1199 states:

- These diseases are caused primarily by ticks
- In 2007, 3,994 cases were reported in PA
- Lyme disease is most prevalent in South East PA
- Early diagnosis is imperative
- Untreated Lyme is a great threat to health
- Some people may have signs or symptoms for months or years

This legislation will:

- Provide the public with information on the disease
- Educate physicians, and in turn patients, on the different treatment options
- Mandate insurance reimbursement be provided for any type of treatment
- Require government agencies to provide unbiased information

The task force will investigate and make recommendations to the department regarding prevention, long term effects, misdiagnosis, general public information, cooperation with the Game Commission, Department of Education, and DCNR to disseminate information.

The task force will be composed of:

- Secretary of Health or designee
- Insurance Commissioner or designee
- Secretary of Education or designee
- Deputy Secretary for Conservation and Engineering Services in DCNR or designee
- Director of Bureau of Information and Education of the Game Commission or designee
- Two physicians who are also members of the International Lyme and Associated Diseases Society
- Epidemiologist
- Two people representing Lyme patient groups
- Lyme patient or family member

The task force will meet 90 days after all appointments have been made and will meet at least quarterly. Any necessary expenses will be covered by the department.

Under this bill, every health care policy which is delivered, issued for delivery, renewed, extended, or modified in PA by a health insurer must cover prescribed treatment for Lyme and other related illnesses rendered in accordance with the standard of care.

Exceptions include hospital indemnity, accident, specified disease, dental, vision, CHAMPUS, Medicare, long term care, and other limited insurance benefit plans.

A licensee has rights to diagnose and treat Lyme Disease including prescribing or administering antibiotic or antimicrobial therapy. A licensee shall not be subject to professional misconduct proceedings or disciplinary action for prescribing or administering these drugs.

Nothing in the bill will diminish the right of the board to deny, revoke, or suspend the license of someone who prescribes or administers treatment for non-therapeutic purposes, fails to monitor ongoing care of the patient receiving long term care, or fails to complete records of long term care patients.

Whenever the board initiates investigations against a licensee, a copy of the complaint will be provided to the licensee within ten days after the licensee's request. When charges are made, a statement of facts will be present for determination by judicial review. When a notice of a hearing is served, the notice will contain the identity of any expert consulted by the board and the substance of the opinion of the expert.

This act will apply to proceedings pending on or after the effective date of the bill. The act will take effect immediately.