PRINTER'S NO. 3538

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2611 Session of 2026

INTRODUCED BY KINKEAD, FRIEL, RIVERA, GUZMAN, HILL-EVANS, PARKER, WAXMAN, PROBST, GUENST, HOHENSTEIN AND McNEILL, JUNE 8, 2026

REFERRED TO COMMITTEE ON JUDICIARY, JUNE 8, 2026

AN ACT

Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, in assault, providing for the offense of aggravated assault of an insured.

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

Section 1. Title 18 of the Pennsylvania Consolidated Statutes is amended by adding a section to read:

§ 2702.2. Aggravated assault of an insured.

(a) Offense defined.--A chief executive officer of a health insurer is guilty of aggravated assault if an insured receives an adverse benefit determination from the health insurer of a medically necessary benefit and that adverse benefit determination results in serious bodily injury or death to the insured.

(b) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"Adverse benefit determination." As defined in section 2102 of the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921.

"Chief executive officer." The highest ranking officer or decision-making individual with authority over a health insurer's affairs.

"Health insurance policy." An individual or group insurance policy, subscriber contract, certificate or plan issued by an insurer that provides medical or health care coverage, including emergency services. The term does not include:

(1) An accident only policy.

(2) A credit only policy.

(3) A long-term care or disability income policy.

(4) A specified disease policy.

(5) A Medicare supplement policy.

(6) A TRICARE policy, including a Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) supplement policy.

(7) A fixed indemnity policy.

(8) A hospital indemnity policy.

(9) A dental only policy.

(10) A vision only policy.

(11) A workers' compensation policy.

(12) An automobile medical payment policy.

(13) A homeowners' insurance policy.

(14) A short-term limited duration policy.

(15) Any other policy providing for limited benefits.

"Health insurer." An entity licensed by the Insurance Department that offers, issues or renews a health insurance policy that is offered or governed under any of the following:

(1) 40 Pa.C.S. Ch. 61 (relating to hospital plan

corporations) or 63 (relating to professional health services plan corporations).

(2) Section 630 of The Insurance Company Law of 1921.

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

"Insured." As defined in section 603-B of The Insurance Company Law of 1921.

"Medically necessary." As defined in section 1103 of The Insurance Company Law of 1921.

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