

WEST VIRGINIA LEGISLATURE

2018 REGULAR SESSION

Enrolled

Senate Bill 242

BY SENATORS TRUMP, BLAIR, MARONEY, AND RUCKER

[Passed March 8, 2018; in effect 90 days from passage]

1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §33-6-38; to amend said code by adding thereto a new section, designated
3 §33-15-4p; to amend said code by adding thereto a new section, designated §33-16-3zz;
4 and to amend said code by adding thereto a new section, designated §33-25A-8p, all
5 relating to requiring health insurance providers to provide coverage for long-term antibiotic
6 therapy for a patient with Lyme disease.

Be it enacted by the Legislature of West Virginia:

ARTICLE 6. THE INSURANCE POLICY.

§33-6-38. Lyme disease to be covered by all health insurance policies.

1 All individual and group health insurance policies providing coverage on an expense-
2 incurred basis and individual and group service or indemnity type contracts issued by a nonprofit
3 corporation shall provide coverage for long-term antibiotic therapy for a patient with Lyme disease
4 when determined to be medically necessary and ordered by a licensed physician after making a
5 thorough evaluation of the patient's symptoms, diagnostic test results, or response to treatment.

ARTICLE 15. ACCIDENT AND SICKNESS INSURANCE.

§33-15-4p. Lyme disease to be covered by all health insurance policies.

1 Any insurer who, on or after January 1, 2019, delivers or issues a policy of accident and
2 sickness insurance in this state under the provisions of this article shall make available as benefits
3 to all subscribers and members coverage on an expense-incurred basis and individual and group
4 service or indemnity type contracts issued by a nonprofit corporation shall provide coverage for
5 long-term antibiotic therapy for a patient with Lyme disease when determined to be medically
6 necessary and ordered by a licensed physician after making a thorough evaluation of the patient's
7 symptoms, diagnostic test results, or response to treatment.

ARTICLE 16. GROUP ACCIDENT AND SICKNESS INSURANCE.

§33-16-3zz. Lyme disease to be covered by all health insurance policies.

1 Any insurer who, on or after January 1, 2019, delivers or issues a policy of group accident
2 and sickness insurance in this state under the provisions of this article shall make available as

3 benefits to all subscribers and members coverage on an expense-incurred basis and individual
4 and group service or indemnity type contracts issued by a nonprofit corporation shall provide
5 coverage for long-term antibiotic therapy for a patient with Lyme disease when determined to be
6 medically necessary and ordered by a licensed physician after making a thorough evaluation of
7 the patient's symptoms, diagnostic test results, or response to treatment.

ARTICLE 25A. HEALTH MAINTENANCE ORGANIZATION ACT.

§33-25A-8p. Lyme disease to be covered by all health insurance policies.

1 A health maintenance organization issuing coverage in this state pursuant to the
2 provisions of this article shall make available as benefits to all subscribers and members coverage
3 on an expense-incurred basis and individual and group service or indemnity type contracts issued
4 by a nonprofit corporation shall provide coverage for long-term antibiotic therapy for a patient with
5 Lyme disease when determined to be medically necessary and ordered by a licensed physician
6 after making a thorough evaluation of the patient's symptoms, diagnostic test results, or response
7 to treatment.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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Chairman, Senate Committee

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Chairman, House Committee

Originated in the Senate.

In effect 90 days from passage.

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Clerk of the Senate

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Clerk of the House of Delegates

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President of the Senate

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Speaker of the House of Delegates

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Day of, 2018.

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Governor