WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Introduced

Senate Bill 40

By Senators Stollings, Lindsay, Jeffries, Caputo, Grady, Phillips, Romano, and Beach

[Introduced January 12,2022]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §5-16-8b; to amend said code by adding thereto a new section, designated §33-15-4x; to amend said code by adding thereto a new section, designated §33-16-3ii; to amend said code by adding thereto a new section, designated §33-24-7x; to amend said code by adding thereto a new section, designated §33-25-8u; and to amend said code by adding thereto a new section, designated §33-25A-8x, all relating to prohibiting insurance coverage from requiring prior authorization for physician-prescribed tests to stage cancer.

Be it enacted by the Legislature of West Virginia:

CHAPTER 5. GENERAL POWERS AND AUTHORITY OF THE GOVERNOR, SECRETARY OF STATE AND ATTORNEY GENERAL; BOARD OF PUBLIC WORKS; MISCELLANEOUS AGENCIES, COMMISSIONS, OFFICES, PROGRAMS, ETC.

ARTICLE 16. WEST VIRGINIA PUBLIC EMPLOYEES INSURANCE ACT.

§5-16-8b. Prohibiting prior authorization for tests to stage cancer.

Notwithstanding any other provision of this code, a policy, plan, or contract that is issued or renewed on or after July 1, 2023, and that is subject to this article may not require prior authorization for physician prescribed tests to stage cancer, including, but not limited to, computerized tomography scans, magnetic resonance imaging scans and positron emission tomography scans.

chapter33. insurance.

ARTICLE 15. ACCIDENT AND SICKNESS INSURANCE.

§33-15-4x. Prohibiting prior authorization for tests to stage cancer.

Notwithstanding any other provision of this code, a policy, plan, or contract that is issued or renewed on or after July 1, 2023, and that is subject to this article may not require prior authorization for physician prescribed tests to stage cancer, including, but not limited to, computerized tomography scans, magnetic resonance imaging scans, and positron emission tomography scans.

ARTICLE 16. GROUP ACCIDENT AND SICKNESS INSURANCE.

§33-16-3ii. Prohibiting prior authorization for tests to stage cancer.

Notwithstanding any other provision of this code, a policy, plan, or contract that is issued or renewed on or after July 1, 2023, and that is subject to this article may not require prior authorization for physician prescribed tests to stage cancer, including, but not limited to, computerized tomography scans, magnetic resonance imaging scans, and positron emission tomography scans.

ARTICLE 24. HOSPITAL SERVICE CORPORATIONS, MEDICAL SERVICE CORPORATIONS, DENTAL SERVICE CORPORATIONS AND HEALTH SERVICE CORPORATIONS.

§33-24-7x. Prohibiting prior authorization for tests to stage cancer.

Notwithstanding any other provision of this code, a policy, plan, or contract that is issued or renewed on or after July 1, 2022, and that is subject to this article may not require prior authorization for physician prescribed tests to stage cancer, including, but not limited to, computerized tomography scans, magnetic resonance imaging scans and positron emission tomography scans.

ARTICLE 25. HEALTH CARE CORPORATIONS.

§33-25-8u. Prohibiting prior authorization for tests to stage cancer.

Notwithstanding any other provision of this code, a policy, plan, or contract that is issued or renewed on or after July 1, 2022, and that is subject to this article may not require prior authorization for physician prescribed tests to stage cancer, including, but not limited to, computerized tomography scans, magnetic resonance imaging scans and positron emission tomography scans.

ARTICLE 25A. HEALTH MAINTENANCE ORGANIZATION ACT.

§33-25A-8x. Prohibiting prior authorization for tests to stage cancer.

Notwithstanding any other provision of this code, a policy, plan, or contract that is issued or renewed on or after July 1, 2023, and that is subject to this article may not require prior authorization for physician prescribed tests to stage cancer, including, but not limited to, computerized tomography scans, magnetic resonance imaging scans and positron emission tomography scans.