

WEST VIRGINIA LEGISLATURE

2023 REGULAR SESSION

Introduced

Senate Bill 45

By Senator Rucker

[Introduced January 11, 2023; referred to
the Committee on Health and Human Resources;
and then to the Committee on Finance]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §5-16-7h; to amend said code by adding thereto a new section, designated §9-
 3 5-29; to amend said code by adding thereto a new section, designated §33-15-4x; to
 4 amend said code by adding thereto a new section, designated §33-16-3ii; to amend said
 5 code by adding thereto a new section, designated §33-24-7x; to amend said code by
 6 adding thereto a new section, designated §33-25-8u; and to amend said code by adding
 7 thereto a new section, designated §33-25A-8x, all relating to requiring coverage for certain
 8 conditions; requiring coverage treatment of pediatric autoimmune neuropsychiatric
 9 disorders associated with streptococcal infections; requiring coverage for treatment of
 10 pediatric acute onset neuropsychiatric syndrome; requiring a prior authorization to be
 11 obtained; and requiring that a physician demonstrate that all other treatments have been
 12 exhausted.

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.

**§5-16-7h. Coverage for treatment of pediatric autoimmune neuropsychiatric disorders
 associated with streptococcal infections and pediatric acute onset neuropsychiatric
 syndrome and other autoimmune encephalopathies.**

1 Notwithstanding any other provision of this code, a plan issued or renewed under this
 2 article after January 1, 2024, the coverage for intravenous immunoglobulin therapy for pediatric
 3 autoimmune neuropsychiatric disorders associated with streptococcal infections and pediatric

4 acute onset neuropsychiatric syndrome and other autoimmune encephalopathies shall only be
 5 covered if the insured’s physician obtains prior authorization by showing that all other treatments
 6 have been exhausted.

CHAPTER 9. HUMAN SERVICES.

ARTICLE 5. MISCELLANEOUS PROVISIONS.

§9-5-29. Medicaid Program; coverage for treatment of pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset neuropsychiatric syndrome neuropsychiatric syndrome and other autoimmune encephalopathies.

1 Notwithstanding any other provision of this code, a plan issued or renewed under this
 2 article after January 1, 2024, the coverage for intravenous immunoglobulin therapy for pediatric
 3 autoimmune neuropsychiatric disorders associated with streptococcal infections and pediatric
 4 acute onset neuropsychiatric syndrome and other autoimmune encephalopathies shall only be
 5 covered if the insured’s physician obtains prior authorization by showing that all other treatments
 6 have been exhausted.

CHAPTER 33. INSURANCE.

ARTICLE 15. ACCIDENT AND SICKNESS INSURANCE.

§33-15-4x. Coverage for treatment of pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset neuropsychiatric syndrome neuropsychiatric syndrome and other autoimmune encephalopathies.

1 Notwithstanding any other provision of this code, a plan issued or renewed under this
 2 article after January 1, 2024, the coverage for intravenous immunoglobulin therapy for pediatric
 3 autoimmune neuropsychiatric disorders associated with streptococcal infections and pediatric
 4 acute onset neuropsychiatric syndrome and other autoimmune encephalopathies shall only be
 5 covered if the insured’s physician obtains prior authorization by showing that all other treatments

6 have been exhausted.

ARTICLE 16. GROUP ACCIDENT AND SICKNESS INSURANCE.

§33-16-3ii. Coverage for treatment of pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset neuropsychiatric syndrome neuropsychiatric syndrome and other autoimmune encephalopathies.

1 Notwithstanding any other provision of this code, a plan issued or renewed under this
2 article after January 1, 2024, the coverage for intravenous immunoglobulin therapy for pediatric
3 autoimmune neuropsychiatric disorders associated with streptococcal infections and pediatric
4 acute onset neuropsychiatric syndrome and other autoimmune encephalopathies shall only be
5 covered if the insured’s physician obtains prior authorization by showing that all other treatments
6 have been exhausted.

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

§33-24-7x. Coverage for treatment of pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset neuropsychiatric syndrome neuropsychiatric syndrome and other autoimmune encephalopathies.

1 Notwithstanding any other provision of this code, a plan issued or renewed under this
2 article after January 1, 2024, the coverage for intravenous immunoglobulin therapy for pediatric
3 autoimmune neuropsychiatric disorders associated with streptococcal infections and pediatric
4 acute onset neuropsychiatric syndrome and other autoimmune encephalopathies shall only be
5 covered if the insured’s physician obtains prior authorization by showing that all other treatments
6 have been exhausted.

ARTICLE 25. HEALTH CARE CORPORATIONS.

§33-25-8u. Coverage for treatment of pediatric autoimmune neuropsychiatric disorders

associated with streptococcal infections and pediatric acute onset neuropsychiatric syndrome neuropsychiatric syndrome and other autoimmune encephalopathies.

1 Notwithstanding any other provision of this code, a plan issued or renewed under this
2 article after January 1, 2024, the coverage for intravenous immunoglobulin therapy for pediatric
3 autoimmune neuropsychiatric disorders associated with streptococcal infections and pediatric
4 acute onset neuropsychiatric syndrome and other autoimmune encephalopathies shall only be
5 covered if the insured's physician obtains prior authorization by showing that all other treatments
6 have been exhausted.

ARTICLE 25A. HEALTH MAINTENANCE ORGANIZATION ACT.

§33-25A-8x. Coverage for treatment of pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset neuropsychiatric syndrome neuropsychiatric syndrome and other autoimmune encephalopathies.

1 Notwithstanding any other provision of this code, a plan issued or renewed under this
2 article after January 1, 2024, the coverage for intravenous immunoglobulin therapy for pediatric
3 autoimmune neuropsychiatric disorders associated with streptococcal infections and pediatric
4 acute onset neuropsychiatric syndrome and other autoimmune encephalopathies shall only be
5 covered if the insured's physician obtains prior authorization by showing that all other treatments
6 have been exhausted.