

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

Senate Bill 236

By Senator Rucker

[Introduced January 11, 2024; 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 5-32; 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 §33-24-7y; to amend said code by
 6 adding thereto a new section, designated §33-25-8v; and to amend said code by adding
 7 thereto a new section, designated §33-25A-8y, 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, 2025, 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.

§9-5-32. 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, 2025, 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, 2025, 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, 2025, 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.

§33-24-7y. 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, 2025, 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.

§33-25-8v. 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, 2025, 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-8y. 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, 2025, 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.

NOTE: The purpose of this bill is to require PEIA, Medicaid, and other health insurance providers to cover for treatment of pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset neuropsychiatric syndrome if certain conditions are met.

Strike-throughs indicate language that would be stricken from a heading or the present law, and underscoring indicates new language that would be added.