

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]

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

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

CHAPTER 33. INSURANCE.

ARTICLE 15. ACCIDENT AND SICKNESS INSURANCE.

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

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

ARTICLE 16. GROUP ACCIDENT AND SICKNESS INSURANCE.

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

1 Notwithstanding any other provision of this code, a policy, plan, or contract that is issued
2 or renewed on or after July 1, 2023, and that is subject to this article may not require prior
3 authorization for physician prescribed tests to stage cancer, including, but not limited to,
4 computerized tomography scans, magnetic resonance imaging scans, and positron emission
5 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.

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

ARTICLE 25. HEALTH CARE CORPORATIONS.

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

1 Notwithstanding any other provision of this code, a policy, plan, or contract that is issued
2 or renewed on or after July 1, 2022, and that is subject to this article may not require prior

3 authorization for physician prescribed tests to stage cancer, including, but not limited to,
4 computerized tomography scans, magnetic resonance imaging scans and positron emission
5 tomography scans.

ARTICLE 25A. HEALTH MAINTENANCE ORGANIZATION ACT.

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

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