

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

Committee Substitute

for

Senate Bill 297

By Senator Rucker

[Reported March 12, 2025, from the Committee on
Health and Human Resources]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding seven new sections,
2 designated §5-16-7h, §9-5-34, §33-15-4y, §33-16-3ii, §33-24-7z, §33-25-8w, and §33-
3 25A-8z, relating to requiring coverage for certain conditions; requiring coverage treatment
4 of pediatric autoimmune neuropsychiatric disorders associated with streptococcal
5 infections; requiring coverage for treatment of pediatric acute onset neuropsychiatric
6 syndrome; requiring a prior authorization to be obtained; and requiring that a physician
7 demonstrate that all other treatments have been 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 July 1, 2026, 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.

§9-5-34. 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, 2026, 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.

§33-15-4y. 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, 2026, 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, 2026, 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.**

**§33-24-7z. 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, 2026, 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.

**§33-25-8w. 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, 2026, 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-8z. 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, 2026, 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.