

HOUSE BILL 447

C3, J1

0lr3299
CF SB 475

By: ~~Delegates Carr, Arikan, Bagnall, Buckel, Chang, C. Watson, and K. Young~~
K. Young, Barron, Belcastro, Bhandari, Charles, Chisholm, Cullison, Hill,
Johnson, Kelly, Kerr, Kipke, Krebs, R. Lewis, Morgan, Pena-Melnyk,
Pendergrass, Reilly, Rosenberg, Saab, Sample-Hughes, and Szeliga

Introduced and read first time: January 23, 2020

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2020

CHAPTER _____

1 AN ACT concerning

2 **Health Insurance – Pediatric Autoimmune Neuropsychiatric Disorders –**
3 **Coverage**

4 FOR the purpose of requiring the Maryland Medical Assistance Program, beginning on a
5 certain date, to provide services for pediatric autoimmune neuropsychiatric
6 disorders associated with streptococcal infections and pediatric acute onset
7 neuropsychiatric syndrome under certain circumstances and subject to a certain
8 provision of this Act; requiring insurers, nonprofit health service plans, and health
9 maintenance organizations that provide certain health insurance benefits under
10 certain insurance policies or contracts to provide coverage for certain diagnosis,
11 evaluation, and treatment of pediatric autoimmune neuropsychiatric disorders
12 associated with streptococcal infections and pediatric acute onset neuropsychiatric
13 syndrome; providing that a certain provision of this Act does not require coverage for
14 a certain drug except under certain circumstances; providing that the required
15 coverage may be subject to certain deductibles, copayments, and coinsurance;
16 requiring that pediatric autoimmune neuropsychiatric disorders associated with
17 streptococcal infections and pediatric acute onset neuropsychiatric syndrome be
18 coded for billing and diagnosis purposes in a certain manner under certain
19 circumstances; providing for the application of this Act; providing for a delayed
20 effective date; and generally relating to coverage for pediatric autoimmune
21 neuropsychiatric disorder and pediatric acute onset neuropsychiatric syndrome
22 diagnosis, evaluation, and treatment under health insurance.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY repealing and reenacting, without amendments,
2 Article – Health – General
3 Section 15–103(a)(1)
4 Annotated Code of Maryland
5 (2019 Replacement Volume)

6 BY repealing and reenacting, with amendments,
7 Article – Health – General
8 Section 15–103(a)(2)(xiii) and (xiv)
9 Annotated Code of Maryland
10 (2019 Replacement Volume)

11 BY adding to
12 Article – Health – General
13 Section 15–103(a)(2)(xv)
14 Annotated Code of Maryland
15 (2019 Replacement Volume)

16 BY adding to
17 Article – Insurance
18 Section 15–855
19 Annotated Code of Maryland
20 (2017 Replacement Volume and 2019 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
22 That the Laws of Maryland read as follows:

23 **Article – Health – General**

24 15–103.

25 (a) (1) The Secretary shall administer the Maryland Medical Assistance
26 Program.

27 (2) The Program:

28 (xiii) Beginning on January 1, 2019, may provide, subject to the
29 limitations of the State budget, and as permitted by federal law, dental services for adults
30 whose annual household income is at or below 133 percent of the poverty level; [and]

31 (xiv) Shall provide, subject to the limitations of the State budget,
32 medically appropriate drugs that are approved by the United States Food and Drug
33 Administration for the treatment of hepatitis C, regardless of the fibrosis score, and that
34 are determined to be medically necessary; **AND**

1 (XV) BEGINNING ON JANUARY 1, 2021, SHALL PROVIDE,
2 SUBJECT TO THE LIMITATIONS OF THE STATE BUDGET AND § 15-855(C)(2) OF THE
3 INSURANCE ARTICLE, AND AS PERMITTED BY FEDERAL LAW, SERVICES FOR
4 PEDIATRIC AUTOIMMUNE NEUROPSYCHIATRIC DISORDERS ASSOCIATED WITH
5 STREPTOCOCCAL INFECTIONS AND PEDIATRIC ACUTE ONSET NEUROPSYCHIATRIC
6 SYNDROME, INCLUDING THE USE OF INTRAVENOUS IMMUNOGLOBULIN THERAPY,
7 FOR ELIGIBLE PROGRAM RECIPIENTS, IF PEDIATRIC AUTOIMMUNE
8 NEUROPSYCHIATRIC DISORDERS ASSOCIATED WITH STREPTOCOCCAL INFECTIONS
9 AND PEDIATRIC ACUTE ONSET NEUROPSYCHIATRIC SYNDROME ARE CODED FOR
10 BILLING AND DIAGNOSIS PURPOSES IN ACCORDANCE WITH § 15-855(D) OF THE
11 INSURANCE ARTICLE.

12 Article - Insurance

13 15-855.

14 (A) THIS SECTION APPLIES TO:

15 (1) INSURERS AND NONPROFIT HEALTH SERVICE PLANS THAT
16 PROVIDE HOSPITAL, MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR GROUPS
17 ON AN EXPENSE-INCURRED BASIS UNDER HEALTH INSURANCE POLICIES OR
18 CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE; AND

19 (2) HEALTH MAINTENANCE ORGANIZATIONS THAT PROVIDE
20 HOSPITAL, MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR GROUPS UNDER
21 CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE.

22 (B) (1) ~~AN~~ EXCEPT AS PROVIDED FOR IN PARAGRAPH (2) OF THIS
23 SUBSECTION, AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE COVERAGE
24 FOR MEDICALLY NECESSARY DIAGNOSIS, EVALUATION, AND TREATMENT OF
25 PEDIATRIC AUTOIMMUNE NEUROPSYCHIATRIC DISORDERS ASSOCIATED WITH
26 STREPTOCOCCAL INFECTIONS AND PEDIATRIC ACUTE ONSET NEUROPSYCHIATRIC
27 SYNDROME, INCLUDING THE USE OF INTRAVENOUS IMMUNOGLOBULIN THERAPY.

28 (2) THIS SUBSECTION DOES NOT REQUIRE COVERAGE FOR
29 RITUXIMAB UNLESS THE FEDERAL FOOD AND DRUG ADMINISTRATION APPROVES
30 THE USE OF RITUXIMAB FOR THE TREATMENT OF PEDIATRIC AUTOIMMUNE
31 NEUROPSYCHIATRIC DISORDERS ASSOCIATED WITH STREPTOCOCCAL INFECTIONS
32 AND PEDIATRIC ACUTE ONSET NEUROPSYCHIATRIC SYNDROME.

33 (C) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE
34 COVERAGE REQUIRED UNDER THIS SECTION MAY BE SUBJECT TO THE ANNUAL
35 DEDUCTIBLES, COPAYMENTS, OR COINSURANCE REQUIREMENTS IMPOSED BY AN

1 ENTITY SUBJECT TO THIS SECTION FOR SIMILAR COVERAGES UNDER THE SAME
2 HEALTH INSURANCE POLICY OR CONTRACT.

3 (2) THE ANNUAL DEDUCTIBLES, COPAYMENTS, OR COINSURANCE
4 REQUIREMENTS IMPOSED UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR THE
5 COVERAGE REQUIRED UNDER THIS SECTION MAY NOT BE GREATER THAN THE
6 ANNUAL DEDUCTIBLES, COPAYMENTS, OR COINSURANCE REQUIREMENTS IMPOSED
7 BY THE ENTITY FOR SIMILAR COVERAGES.

8 (D) (1) EXCEPT AS PROVIDED FOR IN PARAGRAPH (2) OF THIS
9 SUBSECTION, PEDIATRIC AUTOIMMUNE NEUROPSYCHIATRIC DISORDERS
10 ASSOCIATED WITH STREPTOCOCCAL INFECTIONS AND PEDIATRIC ACUTE ONSET
11 NEUROPSYCHIATRIC SYNDROME SHALL BE CODED AS AUTOIMMUNE ENCEPHALITIS
12 FOR BILLING AND DIAGNOSIS PURPOSES.

13 (2) IF THE AMERICAN MEDICAL ASSOCIATION AND THE CENTERS
14 FOR MEDICARE AND MEDICAID SERVICES CREATE AND ASSIGN A SPECIFIC CODE
15 FOR PEDIATRIC AUTOIMMUNE NEUROPSYCHIATRIC DISORDERS ASSOCIATED WITH
16 STREPTOCOCCAL INFECTIONS OR PEDIATRIC ACUTE ONSET NEUROPSYCHIATRIC
17 SYNDROME FOR BILLING AND DIAGNOSIS PURPOSES, PEDIATRIC AUTOIMMUNE
18 NEUROPSYCHIATRIC DISORDERS ASSOCIATED WITH STREPTOCOCCAL INFECTIONS
19 AND PEDIATRIC ACUTE ONSET NEUROPSYCHIATRIC SYNDROME MAY BE CODED AS:

20 (I) AUTOIMMUNE ENCEPHALITIS;

21 (II) PEDIATRIC AUTOIMMUNE NEUROPSYCHIATRIC DISORDERS
22 ASSOCIATED WITH STREPTOCOCCAL INFECTIONS; OR

23 (III) PEDIATRIC ACUTE ONSET NEUROPSYCHIATRIC SYNDROME.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all
25 policies, contracts, and health benefit plans issued, delivered, or renewed in the State on or
26 after January 1, 2021.

27 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 January 1, 2021.