

SENATE BILL 475

C3, J1

(0lr1711)

ENROLLED BILL

— Finance/Health and Government Operations —

Introduced by **Senators Sydnor, Kelley, Waldstreicher, ~~and Zucker~~ Zucker, Augustine, Beidle, Benson, Feldman, Hayes, Hershey, Jennings, Klausmeier, Kramer, and Reilly**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

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

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.

Italics indicate opposite chamber/conference committee amendments.



1 a certain drug except under certain circumstances; providing that the required
 2 coverage may be subject to certain deductibles, copayments, and coinsurance;
 3 requiring that pediatric autoimmune neuropsychiatric disorders associated with
 4 streptococcal infections and pediatric acute onset neuropsychiatric syndrome be
 5 coded for billing and diagnosis purposes in a certain manner under certain
 6 circumstances; providing for the application of this Act; providing for a delayed
 7 effective date; and generally relating to coverage for pediatric autoimmune
 8 neuropsychiatric disorder and pediatric acute onset neuropsychiatric syndrome
 9 diagnosis, evaluation, and treatment under health insurance.

10 BY repealing and reenacting, without amendments,

11 Article – Health – General
 12 Section 15–103(a)(1)
 13 Annotated Code of Maryland
 14 (2019 Replacement Volume)

15 BY repealing and reenacting, with amendments,

16 Article – Health – General
 17 Section 15–103(a)(2)(xiii) and (xiv)
 18 Annotated Code of Maryland
 19 (2019 Replacement Volume)

20 BY adding to

21 Article – Health – General
 22 Section 15–103(a)(2)(xv)
 23 Annotated Code of Maryland
 24 (2019 Replacement Volume)

25 BY adding to

26 Article – Insurance
 27 Section 15–855
 28 Annotated Code of Maryland
 29 (2017 Replacement Volume and 2019 Supplement)

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

32 **Article – Health – General**

33 15–103.

34 (a) (1) The Secretary shall administer the Maryland Medical Assistance
 35 Program.

36 (2) The Program:

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

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

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

19 Article – Insurance

20 15-855.

21 (A) THIS SECTION APPLIES TO:

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

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

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

1 **(2) THIS SUBSECTION DOES NOT REQUIRE COVERAGE FOR RITUXIMAB**
2 **UNLESS THE FEDERAL FOOD AND DRUG ADMINISTRATION APPROVES THE USE OF**
3 **RITUXIMAB FOR THE TREATMENT OF PEDIATRIC AUTOIMMUNE NEUROPSYCHIATRIC**
4 **DISORDERS ASSOCIATED WITH STREPTOCOCCAL INFECTIONS AND PEDIATRIC ACUTE**
5 **ONSET NEUROPSYCHIATRIC SYNDROME.**

6 **(C) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**
7 **COVERAGE REQUIRED UNDER THIS SECTION MAY BE SUBJECT TO THE ANNUAL**
8 **DEDUCTIBLES, COPAYMENTS, OR COINSURANCE REQUIREMENTS IMPOSED BY AN**
9 **ENTITY SUBJECT TO THIS SECTION FOR SIMILAR COVERAGES UNDER THE SAME**
10 **HEALTH INSURANCE POLICY OR CONTRACT.**

11 **(2) THE ANNUAL DEDUCTIBLES, COPAYMENTS, OR COINSURANCE**
12 **REQUIREMENTS IMPOSED UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR THE**
13 **COVERAGE REQUIRED UNDER THIS SECTION MAY NOT BE GREATER THAN THE**
14 **ANNUAL DEDUCTIBLES, COPAYMENTS, OR COINSURANCE REQUIREMENTS IMPOSED**
15 **BY THE ENTITY FOR SIMILAR COVERAGES.**

16 **(D) (1) EXCEPT AS PROVIDED FOR IN PARAGRAPH (2) OF THIS**
17 **SUBSECTION, PEDIATRIC AUTOIMMUNE NEUROPSYCHIATRIC DISORDERS**
18 **ASSOCIATED WITH STREPTOCOCCAL INFECTIONS AND PEDIATRIC ACUTE ONSET**
19 **NEUROPSYCHIATRIC SYNDROME SHALL BE CODED AS AUTOIMMUNE ENCEPHALITIS**
20 **FOR BILLING AND DIAGNOSIS PURPOSES.**

21 **(2) IF THE AMERICAN MEDICAL ASSOCIATION AND THE CENTERS**
22 **FOR MEDICARE AND MEDICAID SERVICES CREATE AND ASSIGN A SPECIFIC CODE**
23 **FOR PEDIATRIC AUTOIMMUNE NEUROPSYCHIATRIC DISORDERS ASSOCIATED WITH**
24 **STREPTOCOCCAL INFECTIONS OR PEDIATRIC ACUTE ONSET NEUROPSYCHIATRIC**
25 **SYNDROME FOR BILLING AND DIAGNOSIS PURPOSES, PEDIATRIC AUTOIMMUNE**
26 **NEUROPSYCHIATRIC DISORDERS ASSOCIATED WITH STREPTOCOCCAL INFECTIONS**
27 **AND PEDIATRIC ACUTE ONSET NEUROPSYCHIATRIC SYNDROME MAY BE CODED AS:**

28 **(I) AUTOIMMUNE ENCEPHALITIS;**

29 **(II) PEDIATRIC AUTOIMMUNE NEUROPSYCHIATRIC DISORDERS**
30 **ASSOCIATED WITH STREPTOCOCCAL INFECTIONS; OR**

31 **(III) PEDIATRIC ACUTE ONSET NEUROPSYCHIATRIC SYNDROME.**

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.