

Chapter 560

(Senate Bill 475)

AN ACT concerning

Health Insurance – Pediatric Autoimmune Neuropsychiatric Disorders – Coverage

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

BY repealing and reenacting, without amendments,

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

BY repealing and reenacting, with amendments,

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

BY adding to

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

BY adding to

Article – Insurance

Section 15–855

Annotated Code of Maryland

(2017 Replacement Volume and 2019 Supplement)

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

Article – Health – General

15–103.

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

(2) The Program:

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

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

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

Article – Insurance

15–855.

(A) THIS SECTION APPLIES TO:

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

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

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

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

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

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

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

(2) IF THE AMERICAN MEDICAL ASSOCIATION AND THE CENTERS FOR MEDICARE AND MEDICAID SERVICES CREATE AND ASSIGN A SPECIFIC CODE FOR PEDIATRIC AUTOIMMUNE NEUROPSYCHIATRIC DISORDERS ASSOCIATED WITH

STREPTOCOCCAL INFECTIONS OR PEDIATRIC ACUTE ONSET NEUROPSYCHIATRIC SYNDROME FOR BILLING AND DIAGNOSIS PURPOSES, PEDIATRIC AUTOIMMUNE NEUROPSYCHIATRIC DISORDERS ASSOCIATED WITH STREPTOCOCCAL INFECTIONS AND PEDIATRIC ACUTE ONSET NEUROPSYCHIATRIC SYNDROME MAY BE CODED AS:

(I) AUTOIMMUNE ENCEPHALITIS;

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

(III) PEDIATRIC ACUTE ONSET NEUROPSYCHIATRIC SYNDROME.

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

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

Enacted under Article II, § 17(c) of the Maryland Constitution, May 8, 2020.