

HOUSE BILL 447

C3, J1

0lr3299
CF 0lr1711

By: **Delegates Carr, Arikan, Bagnall, Buckel, Chang, C. Watson, and K. Young**

Introduced and read first time: January 23, 2020

Assigned to: Health and Government Operations

A BILL ENTITLED

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; requiring insurers,
8 nonprofit health service plans, and health maintenance organizations that provide
9 certain health insurance benefits under certain insurance policies or contracts to
10 provide coverage for certain diagnosis, evaluation, and treatment of pediatric
11 autoimmune neuropsychiatric disorders associated with streptococcal infections and
12 pediatric acute onset neuropsychiatric syndrome; providing that the required
13 coverage may be subject to certain deductibles, copayments, and coinsurance;
14 requiring that pediatric autoimmune neuropsychiatric disorders associated with
15 streptococcal infections and pediatric acute onset neuropsychiatric syndrome be
16 coded for billing and diagnosis purposes in a certain manner under certain
17 circumstances; providing for the application of this Act; providing for a delayed
18 effective date; and generally relating to coverage for pediatric autoimmune
19 neuropsychiatric disorder and pediatric acute onset neuropsychiatric syndrome
20 diagnosis, evaluation, and treatment under health insurance.

21 BY repealing and reenacting, without amendments,
22 Article – Health – General
23 Section 15–103(a)(1)
24 Annotated Code of Maryland
25 (2019 Replacement Volume)

26 BY repealing and reenacting, with amendments,
27 Article – Health – General
28 Section 15–103(a)(2)(xiii) and (xiv)
29 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2019 Replacement Volume)

2 BY adding to
3 Article – Health – General
4 Section 15–103(a)(2)(xv)
5 Annotated Code of Maryland
6 (2019 Replacement Volume)

7 BY adding to
8 Article – Insurance
9 Section 15–855
10 Annotated Code of Maryland
11 (2017 Replacement Volume and 2019 Supplement)

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

14 **Article – Health – General**

15 15–103.

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

18 (2) The Program:

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

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

26 (XV) BEGINNING ON JANUARY 1, 2021, SHALL PROVIDE,
27 SUBJECT TO THE LIMITATIONS OF THE STATE BUDGET, AND AS PERMITTED BY
28 FEDERAL LAW, SERVICES FOR PEDIATRIC AUTOIMMUNE NEUROPSYCHIATRIC
29 DISORDERS ASSOCIATED WITH STREPTOCOCCAL INFECTIONS AND PEDIATRIC
30 ACUTE ONSET NEUROPSYCHIATRIC SYNDROME, INCLUDING THE USE OF
31 INTRAVENOUS IMMUNOGLOBULIN THERAPY, FOR ELIGIBLE PROGRAM RECIPIENTS,
32 IF PEDIATRIC AUTOIMMUNE NEUROPSYCHIATRIC DISORDERS ASSOCIATED WITH
33 STREPTOCOCCAL INFECTIONS AND PEDIATRIC ACUTE ONSET NEUROPSYCHIATRIC
34 SYNDROME ARE CODED FOR BILLING AND DIAGNOSIS PURPOSES IN ACCORDANCE
35 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) 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.

(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

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

4 (I) AUTOIMMUNE ENCEPHALITIS;

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

7 (III) PEDIATRIC ACUTE ONSET NEUROPSYCHIATRIC SYNDROME.

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

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