

SENATE BILL 475

C3, J1

0lr1711
CF HB 447

By: Senators Sydnor, Kelley, Waldstreicher, ~~and Zucker~~ Zucker, Augustine, Beidle, Benson, Feldman, Hayes, Hershey, Jennings, Klausmeier, Kramer, and Reilly

Introduced and read first time: January 29, 2020

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 8, 2020

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; 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

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.



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 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) 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

1 NEUROPSYCHIATRIC SYNDROME SHALL BE CODED AS AUTOIMMUNE ENCEPHALITIS
2 FOR BILLING AND DIAGNOSIS PURPOSES.

3 **(2) IF THE AMERICAN MEDICAL ASSOCIATION AND THE CENTERS**
4 **FOR MEDICARE AND MEDICAID SERVICES CREATE AND ASSIGN A SPECIFIC CODE**
5 **FOR PEDIATRIC AUTOIMMUNE NEUROPSYCHIATRIC DISORDERS ASSOCIATED WITH**
6 **STREPTOCOCCAL INFECTIONS OR PEDIATRIC ACUTE ONSET NEUROPSYCHIATRIC**
7 **SYNDROME FOR BILLING AND DIAGNOSIS PURPOSES, PEDIATRIC AUTOIMMUNE**
8 **NEUROPSYCHIATRIC DISORDERS ASSOCIATED WITH STREPTOCOCCAL INFECTIONS**
9 **AND PEDIATRIC ACUTE ONSET NEUROPSYCHIATRIC SYNDROME MAY BE CODED AS:**

10 **(I) AUTOIMMUNE ENCEPHALITIS;**

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

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

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.