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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO INSURANCE

Introduced By: Senators Lawson, Lombardo, Seveney, Quezada, Miller, Sosnowski,
Cano, Pearson, Euer, and Burke

Date Introduced: March 18, 2021

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 27-18 of the General Laws entitled "Accident and Sickness Insurance
2 Policies" is hereby amended by adding thereto the following section:

3 **27-18-85. Mandatory coverage for treatment of pediatric autoimmune**
4 **neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset**
5 **neuropsychiatric syndrome.**

6 (a) Every group health insurance contract, or every group hospital or medical expense
7 insurance policy, plan, or group policy delivered, issued for delivery, or renewed in this state, by
8 any health insurance carrier, on or after January 1, 2022, shall provide coverage for treatment of
9 pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and
10 pediatric acute onset neuropsychiatric syndrome, including, but not limited to, the use of
11 intravenous immunoglobulin therapy.

12 (b) For billing and diagnosis purposes, pediatric autoimmune neuropsychiatric disorders
13 associated with streptococcal infections and pediatric acute onset neuropsychiatric syndrome shall
14 be coded as autoimmune encephalitis until the American Medical Association and the Centers for
15 Medicare and Medicaid Services create and assign a specific code for pediatric autoimmune
16 neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset
17 neuropsychiatric syndrome. Thereafter, pediatric autoimmune neuropsychiatric disorders
18 associated with streptococcal infections and pediatric acute onset neuropsychiatric syndrome may
19 be coded as autoimmune encephalitis, pediatric autoimmune neuropsychiatric disorders associated

1 with streptococcal infections, or pediatric acute onset neuropsychiatric syndrome.

2 (c) The health care benefits outlined in this section apply only to services delivered within
3 the state of Rhode Island; provided, that all health insurance carriers shall be required to provide
4 coverage for those benefits mandated by this section outside of the state of Rhode Island where it
5 can be established through a pre-authorization process that the required services are not available
6 in the state of Rhode Island from a provider in the health insurance carrier's network.

7 (d) If, at any time, the secretary of the United States Department of Health and Human
8 Services, or its successor agency, promulgates rules or regulations to be published in the federal
9 register or publishes a comment in the federal register or issues an opinion, guidance, or other
10 action that would require the state, pursuant to any provision of the Patient Protection and
11 Affordable Care Act (Pub. L. 111-148), including, but not limited to, 42 U.S.C. 18031 (d)(3)(B) or
12 any successor provision, to defray the cost of any coverage for pediatric autoimmune
13 neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset
14 neuropsychiatric syndrome outlined in this section, then the requirement that an insurer cover
15 pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and
16 pediatric acute onset neuropsychiatric syndrome is inoperative other than any such coverage
17 authorized under § 1902 of the Social Security Act, (42 U.S.C. 1396a), and the state shall not
18 assume any obligation for the cost of coverage for pediatric autoimmune neuropsychiatric disorders
19 associated with streptococcal infections and pediatric acute onset neuropsychiatric syndrome

20 SECTION 2. Chapter 27-19 of the General Laws entitled "Nonprofit Hospital Service
21 Corporations" is hereby amended by adding thereto the following section:

22 **27-19-77. Mandatory coverage for treatment of pediatric autoimmune**
23 **neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset**
24 **neuropsychiatric syndrome.**

25 (a) Every group health insurance contract, or every group hospital or medical expense
26 insurance policy, plan, or group policy delivered, issued for delivery, or renewed in this state, by
27 any health insurance carrier, on or after January 1, 2022, shall provide coverage for treatment of
28 pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and
29 pediatric acute onset neuropsychiatric syndrome, including, but not limited to, the use of
30 intravenous immunoglobulin therapy.

31 (b) For billing and diagnosis purposes, pediatric autoimmune neuropsychiatric disorders
32 associated with streptococcal infections and pediatric acute onset neuropsychiatric syndrome shall
33 be coded as autoimmune encephalitis until the American Medical Association and the Centers for
34 Medicare and Medicaid services create and assign a specific code for pediatric autoimmune

1 neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset
2 neuropsychiatric syndrome. Thereafter, pediatric autoimmune neuropsychiatric disorders
3 associated with streptococcal infections and pediatric acute onset neuropsychiatric syndrome may
4 be coded as autoimmune encephalitis, pediatric autoimmune neuropsychiatric disorders associated
5 with streptococcal infections, or pediatric acute onset neuropsychiatric syndrome.

6 (c) The health care benefits outlined in this section apply only to services delivered within
7 the state of Rhode Island; provided, that all health insurance carriers shall be required to provide
8 coverage for those benefits mandated by this section outside of the state of Rhode Island where it
9 can be established through a pre-authorization process that the required services are not available
10 in the state of Rhode Island from a provider in the health insurance carrier's network.

11 (d) If, at any time, the secretary of the United States Department of Health and Human
12 Services, or its successor agency, promulgates rules or regulations to be published in the federal
13 register or publishes a comment in the federal register or issues an opinion, guidance, or other
14 action that would require the state, pursuant to any provision of the Patient Protection and
15 Affordable Care Act (Pub. L. 111-148), including, but not limited to, 42 U.S.C. 18031 (d)(3)(B) or
16 any successor provision, to defray the cost of any coverage for pediatric autoimmune
17 neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset
18 neuropsychiatric syndrome outlined in this section, then the requirement that an insurer cover
19 pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and
20 pediatric acute onset neuropsychiatric syndrome is inoperative other than any such coverage
21 authorized under § 1902 of the Social Security Act, (42 U.S.C. 1396a), and the state shall not
22 assume any obligation for the cost of coverage for pediatric autoimmune neuropsychiatric disorders
23 associated with streptococcal infections and pediatric acute onset neuropsychiatric syndrome.

24 SECTION 3. Chapter 27-20 of the General Laws entitled "Nonprofit Medical Service
25 Corporations" is hereby amended by adding thereto the following section:

26 **27-20-73. Mandatory coverage for treatment of pediatric autoimmune**
27 **neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset**
28 **neuropsychiatric syndrome.**

29 (a) Every group health insurance contract, or every group hospital or medical expense
30 insurance policy, plan, or group policy delivered, issued for delivery, or renewed in this state, by
31 any health insurance carrier, on or after January 1, 2022, shall provide coverage for treatment of
32 pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and
33 pediatric acute onset neuropsychiatric syndrome, including, but not limited to, the use of
34 intravenous immunoglobulin therapy.

1 **(b) For billing and diagnosis purposes, pediatric autoimmune neuropsychiatric disorders**
2 **associated with streptococcal infections and pediatric acute onset neuropsychiatric syndrome shall**
3 **be coded as autoimmune encephalitis until the American Medical Association and the Centers for**
4 **Medicare and Medicaid Services create and assign a specific code for pediatric autoimmune**
5 **neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset**
6 **neuropsychiatric syndrome. Thereafter, pediatric autoimmune neuropsychiatric disorders**
7 **associated with streptococcal infections and pediatric acute onset neuropsychiatric syndrome may**
8 **be coded as autoimmune encephalitis, pediatric autoimmune neuropsychiatric disorders associated**
9 **with streptococcal infections, or pediatric acute onset neuropsychiatric syndrome.**

10 **(c) The health care benefits outlined in this section apply only to services delivered within**
11 **the state of Rhode Island; provided, that all health insurance carriers shall be required to provide**
12 **coverage for those benefits mandated by this section outside of the state of Rhode Island where it**
13 **can be established through a pre-authorization process that the required services are not available**
14 **in the state of Rhode Island from a provider in the health insurance carrier's network.**

15 **(d) If, at any time, the secretary of the United States Department of Health and Human**
16 **Services, or its successor agency, promulgates rules or regulations to be published in the federal**
17 **register or publishes a comment in the federal register or issues an opinion, guidance, or other**
18 **action that would require the state, pursuant to any provision of the Patient Protection and**
19 **Affordable Care Act (Pub. L. 111-148), including, but not limited to, 42 U.S.C. 18031 (d)(3)(B) or**
20 **any successor provision, to defray the cost of any coverage for pediatric autoimmune**
21 **neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset**
22 **neuropsychiatric syndrome outlined in this section, then the requirement that an insurer cover**
23 **pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and**
24 **pediatric acute onset neuropsychiatric syndrome is inoperative other than any such coverage**
25 **authorized under § 1902 of the Social Security Act, (42 U.S.C. 1396a), and the state shall not**
26 **assume any obligation for the cost of coverage for pediatric autoimmune neuropsychiatric disorders**
27 **associated with streptococcal infections and pediatric acute onset neuropsychiatric syndrome.**

28 SECTION 4. Chapter 27-41 of the General Laws entitled "Health Maintenance
29 Organizations" is hereby amended by adding thereto the following section:

30 **27-41-90. Mandatory coverage for treatment of pediatric autoimmune**
31 **neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset**
32 **neuropsychiatric syndrome.**

33 **(a) Every group health insurance contract, or every group hospital or medical expense**
34 **insurance policy, plan, or group policy delivered, issued for delivery, or renewed in this state, by**

1 any health insurance carrier, on or after January 1, 2022, shall provide coverage for treatment of
2 pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and
3 pediatric acute onset neuropsychiatric syndrome, including, but not limited to, the use of
4 intravenous immunoglobulin therapy.

5 (b) For billing and diagnosis purposes, pediatric autoimmune neuropsychiatric disorders
6 associated with streptococcal infections and pediatric acute onset neuropsychiatric syndrome shall
7 be coded as autoimmune encephalitis until the American Medical Association and the Centers for
8 Medicare and Medicaid Services create and assign a specific code for pediatric autoimmune
9 neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset
10 neuropsychiatric syndrome. Thereafter, pediatric autoimmune neuropsychiatric disorders
11 associated with streptococcal infections and pediatric acute onset neuropsychiatric syndrome may
12 be coded as autoimmune encephalitis, pediatric autoimmune neuropsychiatric disorders associated
13 with streptococcal infections, or pediatric acute onset neuropsychiatric syndrome.

14 (c) The health care benefits outlined in this section apply only to services delivered within
15 the state of Rhode Island; provided, that all health insurance carriers shall be required to provide
16 coverage for those benefits mandated by this section outside of the state of Rhode Island where it
17 can be established through a pre-authorization process that the required services are not available
18 in the state of Rhode Island from a provider in the health insurance carrier's network.

19 (d) If, at any time, the secretary of the United States Department of Health and Human
20 Services, or its successor agency, promulgates rules or regulations to be published in the federal
21 register or publishes a comment in the federal register or issues an opinion, guidance, or other
22 action that would require the state, pursuant to any provision of the Patient Protection and
23 Affordable Care Act (Pub. L. 111-148), including, but not limited to, 42 U.S.C. 18031 (d)(3)(B) or
24 any successor provision, to defray the cost of any coverage for pediatric autoimmune
25 neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset
26 neuropsychiatric syndrome outlined in this section, then the requirement that an insurer cover
27 pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and
28 pediatric acute onset neuropsychiatric syndrome is inoperative other than any such coverage
29 authorized under § 1902 of the Social Security Act, (42 U.S.C. 1396a), and the state shall not
30 assume any obligation for the cost of coverage for pediatric autoimmune neuropsychiatric disorders
31 associated with streptococcal infections and pediatric acute onset neuropsychiatric syndrome.

32 SECTION 5. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO INSURANCE

1 This act would require coverage for the treatment of pediatric autoimmune
2 neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset
3 neuropsychiatric syndrome, including, but not limited to, the use of intravenous immunoglobulin
4 therapy.

5 This act would take effect upon passage.

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