

2023 -- H 5256

LC000795

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO INSURANCE -- ACCIDENT AND SICKNESS INSURANCE POLICIES

Introduced By: Representatives Dawson, Kazarian, Carson, McGaw, Finkelman, Knight, Shanley, O'Brien, McEntee, and Caldwell

Date Introduced: January 27, 2023

Referred To: House Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 27-18-90 of the General Laws in Chapter 27-18 entitled "Accident
2 and Sickness Insurance Policies" is hereby amended to read as follows:

3 ~~27-18-90. **Mandatory coverage for treatment of pediatric autoimmune**~~
4 ~~**neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset**~~
5 ~~**neuropsychiatric syndrome. [Expires December 31, 2025]**~~ **Mandatory coverage for treatment**
6 **of pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections**
7 **and pediatric acute onset neuropsychiatric syndrome.**

8 (a) Every group health insurance contract, or every group hospital or medical expense
9 insurance policy, plan, or group policy delivered, issued for delivery, or renewed in this state, by
10 any health insurance carrier, on or after January 1, 2023, shall provide coverage for treatment of
11 pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and
12 pediatric acute onset neuropsychiatric syndrome, including, but not limited to, the use of
13 intravenous immunoglobulin therapy.

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

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

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

9 (d) Each health insurance carrier shall collect and provide to the office of the health
10 insurance commissioner, in a form and frequency acceptable to the commissioner, information and
11 data reflecting the costs and the savings of adding the benefit coverage provided in this section. On
12 or before January 1, 2025, the office of the health insurance commissioner shall report to the general
13 assembly a cost-benefit analysis of the implementation of the benefit coverage provided in this
14 section. The intent of this cost-benefit analysis is to determine if adding the benefit coverage
15 provided in this section produces a net savings to health insurance carriers and to policy holders.

16 ~~(e) This section shall sunset and be repealed effective December 31, 2025.~~

17 SECTION 2. Section 27-19-82 of the General Laws in Chapter 27-19 entitled "Nonprofit
18 Hospital Service Corporations" is hereby amended to read as follows:

19 ~~27-19-82. Mandatory coverage for treatment of pediatric autoimmune~~
20 ~~neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset~~
21 ~~neuropsychiatric syndrome. [Expires December 31, 2025.]~~ **Mandatory coverage for treatment**
22 **of pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections**
23 **and pediatric acute onset neuropsychiatric syndrome.**

24 (a) Every group health insurance contract, or every group hospital or medical expense
25 insurance policy, plan, or group policy delivered, issued for delivery, or renewed in this state, by
26 any health insurance carrier, on or after January 1, 2023, shall provide coverage for treatment of
27 pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and
28 pediatric acute onset neuropsychiatric syndrome, including, but not limited to, the use of
29 intravenous immunoglobulin therapy.

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

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

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

10 (d) Each health insurance carrier shall collect and provide to the office of the health
11 insurance commissioner, in a form and frequency acceptable to the commissioner, information and
12 data reflecting the costs and the savings of adding the benefit coverage provided in this section. On
13 or before January 1, 2025, the office of the health insurance commissioner shall report to the general
14 assembly a cost-benefit analysis of the implementation of the benefit coverage provided in this
15 section. The intent of this cost-benefit analysis is to determine if adding the benefit coverage
16 provided in this section produces a net savings to health insurance carriers and to policy holders.

17 ~~(e) This section shall sunset and be repealed effective December 31, 2025.~~

18 SECTION 3. Section 27-20-78 of the General Laws in Chapter 27-20 entitled "Nonprofit
19 Medical Service Corporations" is hereby amended to read as follows:

20 ~~**27-20-78. Mandatory coverage for treatment of pediatric autoimmune**~~
21 ~~**neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset**~~
22 ~~**neuropsychiatric syndrome. [Expires December 31, 2025.]**~~ **Mandatory coverage for treatment**
23 **of pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections**
24 **and pediatric acute onset 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, 2023, 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 healthcare 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) Each health insurance carrier shall collect and provide to the office of the health
12 insurance commissioner, in a form and frequency acceptable to the commissioner, information and
13 data reflecting the costs and the savings of adding the benefit coverage provided in this section. On
14 or before January 1, 2025, the office of the health insurance commissioner shall report to the general
15 assembly a cost-benefit analysis of the implementation of the benefit coverage provided in this
16 section. The intent of this cost-benefit analysis is to determine if adding the benefit coverage
17 provided in this section produces a net savings to health insurance carriers and to policy holders.

18 ~~(e) This section shall sunset and be repealed effective December 31, 2025.~~

19 SECTION 4. Section 27-41-95 of the General Laws in Chapter 27-41 entitled "Health
20 Maintenance Organizations" is hereby amended to read as follows:

21 ~~**27-41-95. Mandatory coverage for treatment of pediatric autoimmune**~~
22 ~~**neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset**~~
23 ~~**neuropsychiatric syndrome. [Expires December 31, 2025.]**~~ **Mandatory coverage for treatment**
24 **of pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections**
25 **and pediatric acute onset neuropsychiatric syndrome.**

26 (a) Every group health insurance contract, or every group hospital or medical expense
27 insurance policy, plan, or group policy delivered, issued for delivery, or renewed in this state, by
28 any health insurance carrier, on or after January 1, 2023, shall provide coverage for treatment of
29 pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and
30 pediatric acute onset neuropsychiatric syndrome, including, but not limited to, the use of
31 intravenous immunoglobulin therapy.

32 (b) For billing and diagnosis purposes, pediatric autoimmune neuropsychiatric disorders
33 associated with streptococcal infections and pediatric acute onset neuropsychiatric syndrome shall
34 be coded as autoimmune encephalitis until the American Medical Association and the Centers for

1 Medicare and Medicaid Services create and assign a specific code for pediatric autoimmune
2 neuropsychiatric disorders associated with streptococcal infections and pediatric acute onset
3 neuropsychiatric syndrome. Thereafter, pediatric autoimmune neuropsychiatric disorders
4 associated with streptococcal infections and pediatric acute onset neuropsychiatric syndrome may
5 be coded as autoimmune encephalitis, pediatric autoimmune neuropsychiatric disorders associated
6 with streptococcal infections, or pediatric acute onset neuropsychiatric syndrome.

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

12 (d) Each health insurance carrier shall collect and provide to the office of the health
13 insurance commissioner, in a form and frequency acceptable to the commissioner, information and
14 data reflecting the costs and the savings of adding the benefit coverage provided in this section. On
15 or before January 1, 2025, the office of the health insurance commissioner shall report to the general
16 assembly a cost-benefit analysis of the implementation of the benefit coverage provided in this
17 section. The intent of this cost-benefit analysis is to determine if adding the benefit coverage
18 provided in this section produces a net savings to health insurance carriers and to policy holders.

19 ~~(e) This section shall sunset and be repealed effective December 31, 2025.~~

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO INSURANCE -- ACCIDENT AND SICKNESS INSURANCE POLICIES

1 This act would remove the sunset provision of all statutory law requiring coverage for the
2 treatment of pediatric autoimmune neuropsychiatric disorders associated with streptococcal
3 infections and pediatric acute onset neuropsychiatric syndrome, thus requiring insurance coverage
4 to continue beyond December 31, 2025.

5 This act would take effect upon passage.

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