

2021 -- H 6209

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LC002559  
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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: Representative Gregg Amore

Date Introduced: April 07, 2021

Referred To: House 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

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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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