

Stricken language would be deleted from and underlined language would be added to present law.
Act 878 of the Regular Session

State of Arkansas
92nd General Assembly
Regular Session, 2019

As Engrossed: S3/20/19 H3/28/19
A Bill

SENATE BILL 252

By: Senator K. Hammer
By: Representative Warren

For An Act To Be Entitled

AN ACT TO PROVIDE FOR INSURANCE COVERAGE FOR
TREATMENT OF PEDIATRIC AUTOIMMUNE NEUROPSYCHIATRIC
DISORDERS ASSOCIATED WITH STREPTOCOCCAL INFECTION AND
PEDIATRIC ACUTE-ONSET NEUROPSYCHIATRIC SYNDROME; AND
FOR OTHER PURPOSES.

Subtitle

TO PROVIDE FOR INSURANCE COVERAGE FOR
TREATMENT OF PEDIATRIC AUTOIMMUNE
NEUROPSYCHIATRIC DISORDERS ASSOCIATED
WITH STREPTOCOCCAL INFECTION AND
PEDIATRIC ACUTE-ONSET NEUROPSYCHIATRIC
SYNDROME.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 23, Chapter 79, is amended to add an additional subchapter to read as follows:

Subchapter 18 – Coverage for Services of Pediatric Autoimmune Neuropsychiatric Disorders Associated with Streptococcal Infections and Pediatric Acute-Onset Neuropsychiatric Syndrome.

23-79-1801. Findings.

The General Assembly finds that:

(1) Pediatric acute-onset neuropsychiatric syndrome, also known as "PANS", is a clinically defined disorder characterized by the



sudden onset of obsessive-compulsive symptoms or eating restrictions, accompanied by two (2) or more symptoms of acute behavioral deterioration or motor and sensory changes, or both;

(2) Pediatric autoimmune neuropsychiatric disorder associated with streptococcal infections, also known as "PANDAS", is a term used to describe a subset of children and adolescents within the broader PANS classification;

(3) Some insurance companies are currently providing disparate insurance coverage for the treatment of PANS and PANDAS, including the State and Public School Life and Health Insurance Program, the University of Arkansas for Medical Sciences, Medicaid, and some insurance companies that serve the interests of Arkansans; and

(4) However, not all insurance providers in Arkansas provide coverage or sufficient coverage for PANS and PANDAS, and those insurance companies that do should be consistent in coverage of treatment of PANS and PANDAS.

23-79-1802. Interdisciplinary panel – University of Arkansas for Medical Sciences.

(a) The University of Arkansas for Medical Sciences has partnered with Arkansas Children's Hospital and the National Institute of Mental Health for the establishment and operation of a clinic that currently serves patients with pediatric acute-onset neuropsychiatric syndrome, also known as "PANS", and pediatric autoimmune neuropsychiatric disorder associated with streptococcal infections, also known as "PANDAS".

(b)(1) The University of Arkansas for Medical Sciences shall organize an interdisciplinary panel incorporating all components of those affected by PANS/PANDAS including without limitation working with national organizations.

(2) The interdisciplinary panel under subdivision (b)(1) of this section shall include:

(A) A member at large from the Arkansas PANS/PANDAS Advisory Council;

(B) A member at large who is a medical professional

with a minimum experience of two (2) years working with PANS/PANDAS patients and who is recommended by the Arkansas PANS/PANDAS Advisory Council with final approval by the University of Arkansas for Medical Sciences; and

(C) A member at large who is a medical director or medical officer from an insurance company licensed in this state to assist in the development of diagnostic criteria for future insurance coverage purposes.

(c) An interdisciplinary team shall be established to create a protocol for the treatment of and diagnostic framework for the coverage of PANS and PANDAS by June 1, 2019, to allow for the assignment of an International Classification of Diseases Code, such as an ICD-9 code or other applicable medical code for insurance coverage purposes.

(d) The interdisciplinary team shall report to the Senate Committee on Public Health, Welfare and Labor, the House Committee on Public Health, Welfare and Labor, the Senate Committee on Insurance and Commerce, and the House Committee on Insurance and Commerce no later than August 31, 2019.

(e) Once the interdisciplinary team determines appropriate diagnostic criteria for the protocol, a final report with recommendations shall be submitted to the Senate Committee on Public Health, Welfare and Labor, the House Committee on Public Health, Welfare and Labor, the Senate Committee on Insurance and Commerce, the House Committee on Insurance and Commerce, and the General Assembly to include recommendations concerning mandating insurance coverage for the treatment of PANS and PANDAS for the next scheduled regular session that convenes after the submission of the report or the Governor is encouraged to add the recommendation to the call of any special session that is convened before the next scheduled regular session.

(f) The expectation for the interdisciplinary team is that:

(1) Every available tool will be utilized to make healthcare services for the treatment of PANS and PANDAS available statewide through the University of Arkansas for Medical Sciences network and available services, including telemedicine; and

(2) Once the interdisciplinary team determines the diagnostic criteria for purposes of insurance coverage, all insurance companies and health benefit plans that are licensed in this state shall provide coverage for the treatment of PANS and PANDAS diagnosed according to the established diagnostic criteria recommended by the interdisciplinary team.

(g) The goal of the interdisciplinary team is to have that the diagnostic criteria shall be finalized and ready to be presented at the December 2019 meeting of the Senate Committee on Public Health, Welfare and Labor, the House Committee on Public Health, Welfare and Labor, the Senate Committee on Insurance and Commerce, and the House Committee on Insurance and Commerce.

SECTION 2. TEMPORARY LANGUAGE. DO NOT CODIFY. Arkansas PANS/PANDAS Advisory Council – Creation – Duties.

(a) The Arkansas PANS/PANDAS Advisory Council is created.

(b) The Arkansas PANS/PANDAS Advisory Council shall be composed of the following members:

(1) Two (2) members of the House of Representatives appointed by the Speaker of the House of Representatives;

(2) Two (2) members of the Senate appointed by the President Pro Tempore of the Senate;

(3) One (1) member who is a medical professional with two (2) years of professional experience working with PANS/PANDAS patients, appointed by the Governor;

(4) One (1) member who is a medical professional with two (2) years of professional experience working with PANS/PANDAS patients, appointed by the Arkansas PANS/PANDAS Advisory Council;

(5) The Director of the Department of Health or his or her designee, serving as an ex officio nonvoting member;

(6) The Insurance Commissioner or his or her designee, serving as an ex officio nonvoting member;

(7) Three (3) members who are employed by a public school district appointed by the Governor, one (1) member to be a public school nurse, one (1) member to be a public school counselor, and one (1) member to be a public school teacher;

(8) One (1) member who is designated by the Arkansas Hospital Association, Inc.;

(9) One (1) member who is designated by the Arkansas State Board of Nursing;

(10) One (1) member who is designated by the Arkansas Pharmacist's Association;

(11) One (1) member who is designated by the American Academy of Allergy, Asthma, and Immunology;

(12) Two (2) members who are parents, appointed by the Governor;
and

(13) One (1) member who is designated by the Arkansas Medical, Dental, and Pharmaceutical Association, Inc.

(c) The terms of the members of the Arkansas PANS/PANDAS Advisory Council shall expire on December 31, 2020.

(d) Members shall serve at the pleasure of the organizations they represent or of the Governor, as indicated.

(e) Vacancies on the Arkansas PANS/PANDAS Advisory Council shall be filled in the same manner as provided for the initial appointment.

(f) The chair and vice-chair of the Arkansas PANS/PANDAS Advisory Council shall be one (1) of the legislative members of the interdisciplinary panel and shall be selected by the members of the interdisciplinary panel.

(g) The Arkansas PANS/PANDAS Advisory Council shall meet as often as is deemed necessary by the chair.

(h) All members of the Arkansas PANS/PANDAS Advisory Council shall serve without compensation and shall not receive per diem, mileage, or stipends.

(i) The Arkansas PANS/PANDAS Advisory Council shall receive staff support from the Bureau of Legislative Research.

(j) The Arkansas PANS/PANDAS Advisory Council may:

(1) Make recommendations designed to improve and increase knowledge and develop mechanisms to increase clinical awareness and treatment throughout the state for pediatric acute-onset neuropsychiatric syndrome, also known as "PANS", and pediatric autoimmune neuropsychiatric disorders associated with streptococcal infection, also known as "PANDAS", especially for healthcare professionals;

(2) Operate along with the interdisciplinary panel at the

University of Arkansas for Medical Sciences to determine quarterly information, including case statistics, outcome measures, and other relevant information;

(3) Make recommendations concerning standard practice guidelines for the diagnosis and treatment of PANS/PANDAS;

(4) Provide outreach to educators and parents; and

(5) Develop a network of volunteer experts on PANS/PANDAS to serve as resources within this state.

(k)(1) The Arkansas PANS/PANDAS Advisory Council shall submit a report to the Legislative Council, the Senate Committee on Insurance and Commerce, the House Committee on Insurance and Commerce, the Senate Committee on Public Health, Welfare, and Labor, and the House Committee on Public Health, Welfare, and Labor no later than August 31, 2019.

(2) The Arkansas PANS/PANDAS Advisory Council shall report to the Senate Committee on Insurance and Commerce, the House Committee on Insurance and Commerce, the Senate Committee on Public Health, Welfare, and Labor, and the House Committee on Public Health, Welfare, and Labor as requested.

(1) This section expires December 31, 2020.

/s/K. Hammer

APPROVED: 4/11/19