

Stricken language would be deleted from and underlined language would be added to present law.

1 State of Arkansas As Engrossed: S3/20/19 H3/28/19

2 92nd General Assembly

# A Bill

3 Regular Session, 2019

SENATE BILL 252

4

5 By: Senator K. Hammer

6 By: Representative Warren

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8

## For An Act To Be Entitled

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

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## Subtitle

17 TO PROVIDE FOR INSURANCE COVERAGE FOR  
18 TREATMENT OF PEDIATRIC AUTOIMMUNE  
19 NEUROPSYCHIATRIC DISORDERS ASSOCIATED  
20 WITH STREPTOCOCCAL INFECTION AND  
21 PEDIATRIC ACUTE-ONSET NEUROPSYCHIATRIC  
22 SYNDROME.

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24

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

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

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

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33 23-79-1801. Findings.

34 The General Assembly finds that:

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



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

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

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

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

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19 23-79-1802. Interdisciplinary panel – University of Arkansas for  
20 Medical Sciences.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

36 (2) Operate along with the interdisciplinary panel at the

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

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

6 (4) Provide outreach to educators and parents; and

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

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

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

19 (1) This section expires December 31, 2020.

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22 /s/K. Hammer  
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