

Stricken language would be deleted from and underlined language would be added to present law.  
Act 430 of the Regular Session

1 State of Arkansas

*As Engrossed: H3/11/21*

2 93rd General Assembly

## A Bill

3 Regular Session, 2021

SENATE BILL 212

5 By: Senators K. Hammer, Irvin

6 By: Representatives Warren, Cloud

### For An Act To Be Entitled

9 AN ACT TO CREATE THE ARKANSAS PANS/PANDAS ADVISORY  
10 COUNCIL; TO DECLARE AN EMERGENCY; AND FOR OTHER  
11 PURPOSES.

### Subtitle

15 TO CREATE THE ARKANSAS PANS/PANDAS  
16 ADVISORY COUNCIL; AND TO DECLARE AN  
17 EMERGENCY.

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

22 SECTION 1. Arkansas Code Title 23, Chapter 79, Subchapter 19, is  
23 amended to add additional sections to read as follows:

24 23-79-1903. Arkansas PANS/PANDAS Advisory Council – Creation –  
25 Membership – Duties.

26 (a) There is created the Arkansas PANS/PANDAS Advisory Council to  
27 consist of the following members:

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

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

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

35 (4) One (1) member who is a medical professional with two (2)  
36 years of professional experience working with PANS/PANDAS patients, appointed



1 by the council;

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

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

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

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

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

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

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

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

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

22 (b)(1) Upon appointment to the council, the initial members shall draw  
23 lots to determine the length of their terms.

24 (2) Appointments shall be for a term of four (4) years.

25 (3) Vacancies on the council shall be filled in the same manner  
26 as provided for the initial appointment.

27 (4) The new appointee shall serve for the remainder of the  
28 unexpired term.

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

31 (d)(1) The President Pro Tempore of the Senate shall appoint the Chair  
32 of the Arkansas PANS/PANDAS Advisory Council who shall be one (1) of the  
33 legislative members of the council.

34 (2) The Speaker of the House of Representatives shall appoint  
35 the Vice Chair of the Arkansas PANS/PANDAS Advisory Council who shall be one  
36 (1) of the legislative members of the council.

1 (e)(1) A majority of the membership shall constitute a quorum.

2 (2) A majority vote of those members present shall be required  
3 for any action of the council.

4 (f)(1) The council shall meet as often as is deemed necessary by the  
5 chair.

6 (2) The council shall meet at the State Capitol Building in  
7 Little Rock, Arkansas.

8 (g) Legislators shall be paid per diem and mileage as authorized by  
9 law for attendance at meetings of interim committees of the General Assembly.

10 (h)(1) The council shall receive staff support from the Bureau of  
11 Legislative Research.

12 (2) The council shall receive assistance from the Children's  
13 Postinfectious Autoimmune Encephalopathy Center of Excellence at the  
14 University of Arizona Steele Children's Research Center with the preparation  
15 of any reports required by this subchapter.

16 (i) The council may:

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

23 (2) Operate along with the interdisciplinary panel on  
24 PANS/PANDAS at the University of Arkansas for Medical Sciences to determine  
25 quarterly information, including case statistics, outcome measures, and other  
26 relevant information;

27 (3) Make recommendations concerning standard practice guidelines  
28 for the diagnosis and treatment of PANS/PANDAS for adult and pediatric  
29 patients who have been diagnosed with PANS/PANDAS;

30 (4) Provide outreach to educators and parents;

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

33 (6) Consider any related topics associated with the council's  
34 charge.

35 (j)(1) The council shall report to the Senate Committee on Insurance  
36 and Commerce, the House Committee on Insurance and Commerce, the Senate

1 Committee on Public Health, Welfare, and Labor, and the House Committee on  
2 Public Health, Welfare, and Labor, as requested.

3 (2) The report described in subdivision (j)(1) of this section  
4 shall be submitted to the Legislative Council for final review.

5  
6 23-79-1904. Sunset.

7 This subchapter shall expire on December 31, 2023, unless extended by  
8 the General Assembly.

9  
10 SECTION 2. TEMPORARY LANGUAGE. DO NOT CODIFY. Arkansas PANS/PANDAS  
11 Advisory Council – Appointment of members.

12 The members of the Arkansas PANS/PANDAS Advisory Council shall be  
13 appointed by May 1, 2021.

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15 SECTION 3. EMERGENCY CLAUSE. It is found and determined by the  
16 General Assembly of the State of Arkansas that pediatric acute-onset  
17 neuropsychiatric syndrome, also known as "PANS", and pediatric autoimmune  
18 neuropsychiatric disorders associated with streptococcal infections, also  
19 known as "PANDAS", are misunderstood disorders that affect pediatric and  
20 adult patients in Arkansas, and the Arkansas PANS/PANDAS Advisory Council has  
21 been working to inform healthcare providers and healthcare insurers about  
22 options available to treat PANS and PANDAS, but members of the Arkansas  
23 PANS/PANDAS Advisory Council have been limited in their work by the fear of  
24 exposure to coronavirus disease 2019 (COVID-19), severe acute respiratory  
25 syndrome coronavirus 2 (SARS-CoV-2), or mutations of either of those  
26 respective viruses; that numerous healthcare providers and healthcare  
27 insurers do not have sufficient knowledge about PANS and PANDAS to adequately  
28 respond to requests for treatment and coverage, and due to the effects of  
29 coronavirus disease 2019 (COVID-19) and severe acute respiratory syndrome  
30 coronavirus 2 (SARS-CoV-2), or mutations of either of those respective  
31 viruses, on the people of this state, the Arkansas PANS/PANDAS Advisory  
32 Council has ongoing projects that need immediate attention; that the Arkansas  
33 PANS/PANDAS Advisory Council expired December 31, 2020; and that this act is  
34 immediately necessary to allow the Arkansas PANS/PANDAS Advisory Council to  
35 continue to provide education to healthcare providers and healthcare insurers  
36 about the treatment and impact of PANS/PANDAS on patients and their families.

1 Therefore, an emergency is declared to exist, and this act being immediately  
2 necessary for the preservation of the public peace, health, and safety shall  
3 become effective on:

4 (1) The date of its approval by the Governor;

5 (2) If the bill is neither approved nor vetoed by the Governor,  
6 the expiration of the period of time during which the Governor may veto the  
7 bill; or

8 (3) If the bill is vetoed by the Governor and the veto is  
9 overridden, the date the last house overrides the veto.

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11 */s/K. Hammer*  
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14 **APPROVED: 3/24/21**  
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State of Arkansas As Engrossed: S3/20/19 H3/28/19

92nd General Assembly

## A Bill

Regular Session, 2019

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



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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25 APPROVED: 4/11/19  
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1 State of Arkansas

As Engrossed: S3/9/21

2 93rd General Assembly

# A Bill

3 Regular Session, 2021

SENATE BILL 387

4  
5 By: Senators K. Hammer, Irvin

6 By: Representatives Warren, Cloud  
7

## For An Act To Be Entitled

8  
9 AN ACT TO AUTHORIZE OFF-LABEL USE OF DRUG TREATMENTS  
10 TO TREAT MEDICAID BENEFICIARIES DIAGNOSED WITH  
11 PEDIATRIC ACUTE-ONSET NEUROPSYCHIATRIC SYNDROME AND  
12 PEDIATRIC AUTOIMMUNE NEUROPSYCHIATRIC DISORDERS  
13 ASSOCIATED WITH STREPTOCOCCAL INFECTION; AND FOR  
14 OTHER PURPOSES.  
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## Subtitle

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18 TO AUTHORIZE OFF-LABEL USE OF DRUG  
19 TREATMENTS TO TREAT MEDICAID  
20 BENEFICIARIES WITH PEDIATRIC ACUTE-ONSET  
21 NEUROPSYCHIATRIC SYNDROME AND PEDIATRIC  
22 AUTOIMMUNE NEUROPSYCHIATRIC DISORDERS  
23 ASSOCIATED WITH STREPTOCOCCAL INFECTION.  
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26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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28 SECTION 1. Arkansas Code Title 20, Chapter 77, Subchapter 1, is  
29 amended to add an additional section to read as follows:

30 20-77-140. Off-label use of drug treatment to treat pediatric acute-  
31 onset neuropsychiatric syndrome and pediatric autoimmune neuropsychiatric  
32 disorders associated with streptococcal infection.

33 (a) The General Assembly finds that:

34 (1) Pediatric acute-onset neuropsychiatric syndrome, also known  
35 as "PANS", is a clinically defined disorder characterized by the sudden onset  
36 of obsessive-compulsive symptoms or eating restrictions, accompanied by two



1 (2) or more symptoms of acute behavioral deterioration or motor and sensory  
2 changes, or both;

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

7 (3) Other state Medicaid programs provide coverage for off-label  
8 use of drug treatments to treat pediatric acute-onset neuropsychiatric  
9 syndrome and pediatric autoimmune neuropsychiatric disorders associated with  
10 streptococcal infections; and

11 (4) However, the Arkansas Medicaid Program does not provide  
12 coverage for off-label use of drug treatments, to treat Medicaid  
13 beneficiaries who are diagnosed with pediatric acute-onset neuropsychiatric  
14 syndrome and pediatric autoimmune neuropsychiatric disorders associated with  
15 streptococcal infections.

16 (b) The Arkansas Medicaid Program shall provide coverage for off-label  
17 use of drug treatments, including without limitation intravenous  
18 immunoglobulin, also known as "IVIG", to treat Medicaid beneficiaries who are  
19 diagnosed with pediatric acute-onset neuropsychiatric syndrome or pediatric  
20 autoimmune neuropsychiatric disorders associated with streptococcal  
21 infections, or both, under a treatment plan established by the Postinfectious  
22 Autoimmune Encephalopathy Center of Excellence clinic in Arkansas.

23 (c) The Department of Human Services shall apply for any federal  
24 waiver, state plan amendment, or other authorization necessary to implement  
25 this section.

26  
27 */s/K. Hammer*

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30 **APPROVED: 4/12/21**

State of Arkansas *As Engrossed: S4/15/21 H4/21/21*

93rd General Assembly

Regular Session, 2021

# A Bill

SENATE BILL 639

By: Senator K. Hammer

By: Representative Cloud

## For An Act To Be Entitled

AN ACT TO AUTHORIZE OFF-LABEL USE OF DRUG TREATMENTS  
TO TREAT PATIENTS DIAGNOSED WITH PEDIATRIC ACUTE-  
ONSET NEUROPSYCHIATRIC SYNDROME AND PEDIATRIC  
AUTOIMMUNE NEUROPSYCHIATRIC DISORDERS ASSOCIATED WITH  
STREPTOCOCCAL INFECTION; AND FOR OTHER PURPOSES.

## Subtitle

TO AUTHORIZE OFF-LABEL USE OF DRUG  
TREATMENTS TO TREAT PATIENTS DIAGNOSED  
WITH PEDIATRIC ACUTE-ONSET  
NEUROPSYCHIATRIC SYNDROME AND PEDIATRIC  
AUTOIMMUNE NEUROPSYCHIATRIC DISORDERS  
ASSOCIATED WITH STREPTOCOCCAL INFECTION.

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

SECTION 1. Arkansas Code Title 23, Chapter 79, Subchapter 19, is  
amended to add an additional section to read as follows:

23-79-1903. Off-label use of drug treatment to treat pediatric acute-  
onset neuropsychiatric syndrome and pediatric autoimmune neuropsychiatric  
disorders associated with streptococcal infection – Legislative findings –  
Definitions.

(a) 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



1 (2) or more symptoms of acute behavioral deterioration or motor and sensory  
2 changes, or both;

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

7 (3) Other states may require coverage for off-label use of drug  
8 treatments to treat pediatric acute-onset neuropsychiatric syndrome and  
9 pediatric autoimmune neuropsychiatric disorders associated with streptococcal  
10 infection; and

11 (4) Arkansas does not require coverage for off-label use of drug  
12 treatments to treat patients who are diagnosed with pediatric acute-onset  
13 neuropsychiatric syndrome and pediatric autoimmune neuropsychiatric disorders  
14 associated with streptococcal infections.

15 (b) As used in this section:

16 (1)(A) "Health benefit plan" means an individual, blanket, or  
17 any group plan, policy, or contract for healthcare services issued, renewed,  
18 or extended in this state by a healthcare insurer, health maintenance  
19 organization, hospital medical service corporation, or self-insured  
20 governmental or church plan in this state.

21 (B) "Health benefit plan" includes:

22 (i) A plan offered by a risk-based provider  
23 organization as established under the Medicaid Provider-Led Organized Care  
24 Act, § 20-77-2701 et seq.;

25 (ii) Indemnity and managed care plans; and

26 (iii) Plans providing health benefits to state and  
27 public school employees under § 21-5-401 et seq.

28 (C) "Health benefit plan" does not include:

29 (i) A plan that provides only dental benefits or eye  
30 and vision care benefits;

31 (ii) A disability income plan;

32 (iii) A credit insurance plan;

33 (iv) Insurance coverage issued as a supplement to  
34 liability insurance;

35 (v) Medical payments under an automobile or  
36 homeowners' insurance plan;

1 (vi) A health benefit plan provided under Arkansas  
2 Constitution, Article 5, § 32, the Workers' Compensation Law, § 11-9-101 et  
3 seq., and the Public Employee Workers' Compensation Act, § 21-5-601 et seq.;

4 (vii) A plan that provides only indemnity for  
5 hospital confinement;

6 (viii) An accident-only plan; or

7 (ix) A specified disease plan; and

8 (2)(A) "Healthcare insurer" means any insurance company,  
9 hospital and medical service corporation, or health maintenance organization  
10 that issues or delivers health benefit plans in this state and is subject to  
11 any of the following laws:

12 (i) The insurance laws of this state;

13 (ii) Section 23-75-101 et seq., pertaining to  
14 hospital and medical service corporations;

15 (iii) Section 23-76-101 et seq., pertaining to  
16 health maintenance organizations; or

17 (iv) A risk-based provider organization established  
18 under the Medicaid Provider-Led Organized Care Act, § 20-77-2701 et seq.

19 (B) "Healthcare insurer" does not include an entity that  
20 provides only dental benefits or eye and vision care benefits.

21 (c) A health benefit plan that is offered, issued, or renewed in this  
22 state, including a plan offered by a risk-based provider organization  
23 established under the Medicaid Provider-Led Organized Care Act, § 20-77-2701  
24 et seq., shall provide coverage for off-label use of intravenous  
25 immunoglobulin, also known as "IVIG", to treat individuals diagnosed with  
26 pediatric acute-onset neuropsychiatric syndrome and pediatric autoimmune  
27 neuropsychiatric disorders associated with streptococcal infection, or both,  
28 on or after January 1, 2022, under a patient-specific treatment plan  
29 established by the Childhood Post-infectious Autoimmune Encephalopathy Clinic  
30 established by the University of Arkansas for Medical Sciences in  
31 collaboration with Arkansas Children's Hospital.

32 (d) The coverage for off-label use of drug treatment to treat  
33 pediatric acute-onset neuropsychiatric syndrome and pediatric autoimmune  
34 neuropsychiatric disorders associated with streptococcal infection under this  
35 section:

36 (1) May be subject to policy deductions or copayment

1 requirements and any standard prior authorization review of a healthcare  
2 insurer or a health benefit plan; and

3 (2) Does not diminish or limit benefits otherwise allowable  
4 under a health benefit plan.

5 (e) The Insurance Commissioner shall develop and promulgate rules for  
6 the implementation and administration of this section.

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8 /s/K. Hammer

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11 APPROVED: 4/29/21  
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