

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

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



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;

(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

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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