



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB5040

Introduced 2/18/2020, by Rep. Deanne M. Mazzochi

#### SYNOPSIS AS INTRODUCED:

215 ILCS 5/356z.25  
410 ILCS 50/3.5 new

Amends the Illinois Insurance Code to prohibit an individual or group policy of accident and health insurance or managed care plan from imposing a deductible, coinsurance, copayment, or any other cost-sharing requirement on coverage of diagnostic testing for a pediatric autoimmune neuropsychiatric disorder if such diagnostic testing is ordered by a physician. Provides that an individual or group policy of accident and health insurance or managed care plan is not required to cover diagnostic testing for a pediatric autoimmune neuropsychiatric disorder if a physician indicates that such diagnostic testing is requested by a guardian, authorized representative, or parent of a minor patient. Amends the Medical Patient Rights Act. Provides that a physician may not refuse a request of a guardian, authorized representative, or parent of a minor patient for minimally invasive diagnostic testing for pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections and pediatric acute-onset neuropsychiatric syndrome.

LRB101 18227 BMS 67669 b

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Insurance Code is amended by  
5 changing Section 356z.25 as follows:

6 (215 ILCS 5/356z.25)

7 Sec. 356z.25. Coverage for treatment of pediatric  
8 autoimmune neuropsychiatric disorders associated with  
9 streptococcal infections and pediatric acute onset  
10 neuropsychiatric syndrome. A group or individual policy of  
11 accident and health insurance or managed care plan that is  
12 amended, delivered, issued, or renewed after July 18, 2017 (the  
13 effective date of Public Act 100-24) shall provide coverage for  
14 treatment of pediatric autoimmune neuropsychiatric disorders  
15 associated with streptococcal infections and pediatric  
16 acute-onset neuropsychiatric syndrome, including, but not  
17 limited to, the use of intravenous immunoglobulin therapy.

18 For billing and diagnosis purposes, pediatric autoimmune  
19 neuropsychiatric disorders associated with streptococcal  
20 infections and pediatric acute onset neuropsychiatric syndrome  
21 shall be coded as autoimmune encephalitis until the American  
22 Medical Association and the Centers for Medicare and Medicaid  
23 Services create and assign a specific code for pediatric

1 autoimmune neuropsychiatric disorders associated with  
2 streptococcal infections and pediatric acute onset  
3 neuropsychiatric syndrome. Thereafter, pediatric autoimmune  
4 neuropsychiatric disorders associated with streptococcal  
5 infections and pediatric acute onset neuropsychiatric syndrome  
6 may be coded as autoimmune encephalitis, pediatric autoimmune  
7 neuropsychiatric disorders associated with streptococcal  
8 infections, or pediatric acute onset neuropsychiatric  
9 syndrome.

10 If, at any time, the Secretary of the United States  
11 Department of Health and Human Services, or its successor  
12 agency, promulgates rules or regulations to be published in the  
13 Federal Register or publishes a comment in the Federal Register  
14 or issues an opinion, guidance, or other action that would  
15 require the State, pursuant to any provision of the Patient  
16 Protection and Affordable Care Act (Public Law 111-148),  
17 including, but not limited to, 42 U.S.C. 18031(d)(3)(B) or any  
18 successor provision, to defray the cost of any coverage for  
19 pediatric autoimmune neuropsychiatric disorders associated  
20 with streptococcal infections and pediatric acute onset  
21 neuropsychiatric syndrome outlined in this Section, then the  
22 requirement that an insurer cover pediatric autoimmune  
23 neuropsychiatric disorders associated with streptococcal  
24 infections and pediatric acute onset neuropsychiatric syndrome  
25 is inoperative other than any such coverage authorized under  
26 Section 1902 of the Social Security Act, 42 U.S.C. 1396a, and

1 the State shall not assume any obligation for the cost of  
2 coverage for pediatric autoimmune neuropsychiatric disorders  
3 associated with streptococcal infections and pediatric acute  
4 onset neuropsychiatric syndrome.

5 An individual or group policy of accident and health  
6 insurance or managed care plan may not impose a deductible,  
7 coinsurance, copayment, or any other cost-sharing requirement  
8 on coverage for diagnostic testing for pediatric autoimmune  
9 neuropsychiatric disorders if such diagnostic testing is  
10 ordered by a physician licensed to practice medicine in all its  
11 branches.

12 An individual or group policy of accident and health  
13 insurance or managed care plan is not required to provide  
14 coverage for diagnostic testing for pediatric autoimmune  
15 neuropsychiatric disorders if a physician indicates that such  
16 diagnostic testing is requested by a guardian, authorized  
17 representative, or parent of a minor patient.

18 (Source: P.A. 100-24, eff. 7-18-17; 100-863, eff. 8-14-18;  
19 101-488, eff. 8-23-19.)

20 Section 10. The Medical Patient Rights Act is amended by  
21 adding Section 3.5 as follows:

22 (410 ILCS 50/3.5 new)

23 Sec. 3.5. Pediatric autoimmune neuropsychiatric disorder  
24 diagnostic testing for minors. A physician may not refuse a

1 request of a guardian, authorized representative, or parent of  
2 a minor patient for minimally invasive diagnostic testing for  
3 pediatric autoimmune neuropsychiatric disorders associated  
4 with streptococcal infections and pediatric acute-onset  
5 neuropsychiatric syndrome.