

## Insurance Coverage for PANDAS/PANS

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### Issue

Summarize state health insurance coverage mandates for the treatment of pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections (PANDAS) or pediatric acute-onset neuropsychiatric syndrome (PANS). Specifically, describe Connecticut's and other states' PANDAS or PANS insurance coverage laws or recently proposed coverage legislation.

### Summary

According to the [National Institute of Mental Health](#), PANDAS includes cases of children and adolescents who suddenly develop obsessive-compulsive disorder (OCD) or tic disorders, or whose OCD or tic symptoms worsen, following streptococcal infections (e.g., strep throat or scarlet fever). PANS includes all cases of children and adolescents with abrupt onset OCD, not just those associated with these infections.

Connecticut statutes do not require commercial health insurance policies to cover the treatment of PANDAS or PANS. Since 2012, legislators proposed six bills to require insurers to cover the treatment of PANDAS; none became law. Three states currently mandate coverage for the treatment of PANDAS or PANS: Delaware, Illinois, and New Hampshire. A fourth, Minnesota, requires coverage beginning January 1, 2020. In 2019, another five states proposed bills to mandate coverage: Maine, Maryland, Massachusetts, New York, and Oregon.

In 2012, Connecticut provided a \$40,000 grant to the PANDAS Resource Network for a comprehensive analysis of PANDAS, including an evaluation of the level and recognition of the condition in the medical community ([PA 12-104](#), § 17, as amended by [PA 12-1, June Special Session](#), § 116). The act required the Department of Public Health (DPH) commissioner to submit

the analysis to the Public Health and Insurance and Real Estate committees by February 1, 2013. A copy of the report is attached for reference and available from the Legislative Library.

Connecticut legislators also enacted a law in 2013 creating a council to advise the DPH commissioner on PANDAS and PANS research, diagnosis, treatment, and education ([PA 13-187](#)). The law required the advisory council to annually report to the Public Health Committee. In 2017, the legislature repealed the council’s enabling statute ([PA 17-146](#), § 48). According to the Legislative Library, the council submitted one annual report in December 2013; a copy is attached and available from the library.

## Connecticut

### *Proposed Bills*

Since 2012, Connecticut legislators proposed six bills to require commercial health insurance policies to cover the treatment of PANDAS. Table 1 lists each bill and its last legislative action.

**Table 1: Proposed PANDAS Insurance Legislation in Connecticut since 2012**

<i>Year</i>	<i>Bill No.</i>	<i>Description</i>	<i>Last Action</i>
2012	<a href="#">SB 206</a>	As raised, to require health insurance coverage for the diagnosis and treatment of PANDAS.  As favorably reported, to require the DPH commissioner to study PANDAS.	Senate passed; tabled for the House calendar
2013	<a href="#">HB 5632</a>	To require health insurance coverage of all treatments associated with PANDAS.	Referred to the Insurance and Real Estate Committee (INS), which took no action
2013	<a href="#">SB 956</a>	To require (1) health insurance coverage for the diagnosis and treatment of PANDAS and (2) DPH to develop programs to educate the medical community and public and promote research on PANDAS.	Favorably reported by INS; tabled for the Senate calendar
2014	<a href="#">SB 5</a>	To require health insurance coverage for the diagnosis and treatment of PANDAS.	Favorably reported by INS; tabled for the Senate calendar
2015	<a href="#">SB 15</a>	To require health insurance coverage for the diagnosis and treatment of PANDAS.	Senate recommitted to INS
2016	<a href="#">SB 37</a>	To require health insurance coverage for the diagnosis and treatment of PANDAS.	Favorably reported by INS; tabled for the Senate calendar

## Other States

### *Enacted Laws*

Four states mandate individual and group commercial health insurance policies to cover the treatment of PANDAS, PANS, or both: Delaware, Illinois, Minnesota (effective beginning January 1, 2020), and New Hampshire.

Table 2 provides details about each state’s coverage requirement. Since the federal Affordable Care Act (ACA) requires states to reimburse insurers or insureds for certain recently enacted benefit mandates, the table also includes any reimbursement provisions. (OLR Report [2015-R-0188](#) discusses when the state must defray the cost of health insurance benefit mandates under the ACA.)

**Table 2: Laws in Other States Requiring Insurance Coverage for PANDAS/PANS Treatment**

<i>State and Citation</i>	<i>Coverage Requirement</i>	<i>Cost Reimbursement</i>
Delaware <a href="#">Del. Code Ann. tit. 18, §§ 3370B &amp; 3571T</a>	Insurers must cover the treatment of PANDAS and PANS, including intravenous immunoglobulin therapy.	If at any time the federal government requires the state to defray the cost of this coverage, the coverage requirement becomes inoperative and the state may not assume any obligation for the cost of coverage.
Illinois <a href="#">215 Ill. Comp. Stat. Ann. 5/356z.25</a>	Insurers must cover the treatment of PANDAS and PANS, including intravenous immunoglobulin therapy.	If at any time the federal government requires the state to defray the cost of this coverage pursuant to the ACA, the coverage requirement becomes inoperative and the state will not assume any obligation for the cost of coverage.
Minnesota <a href="#">Minn. Stat. Ann. § 62A.3097</a> (effective January 1, 2020)	Health plans must cover the treatment of PANDAS and PANS. The insured’s licensed health care professional must recommend the treatment, which may include antibiotics, medication, and behavioral therapies to manage neuropsychiatric symptoms, plasma exchange, and immunoglobulin.	The commerce commissioner must reimburse health carriers for the cost of the required coverage. The law limits reimbursement to coverage the carriers would not have provided without the mandate. Each fiscal year, the state will appropriate to the commissioner an amount necessary to pay the carriers for providing the coverage. Carriers must report quantified coverage costs to the commissioner.

**Table 2 (continued)**

<i>State and Citation</i>	<i>Coverage Requirement</i>	<i>Cost Reimbursement</i>
New Hampshire <a href="#">N.H. Rev. Stat. Ann. § 417-E:1</a>	Insurers must cover the treatment and diagnosis of certain biologically based mental illnesses under the same terms and conditions and that are no less extensive than coverage provided for physical illness. Mental illness includes OCD and PANS when a physician orders treatment, including intravenous immunoglobulin therapy.	Not specified

### ***Proposed Bills***

In 2019, at least five other states proposed bills to require insurers to cover PANDAS or PANS treatment: Maine, Maryland, Massachusetts, New York, and Oregon. None became law. Table 3 lists each state’s proposed requirement.

**Table 3: 2019 Proposed Legislation in Other States for PANDAS/PANS Treatment Insurance Coverage**

<i>State</i>	<i>Bill No.</i>	<i>Proposed Requirement</i>
Maine	<a href="#">HP 827</a>	Requires health plans to cover the treatment of childhood postinfectious neuroimmune disorders, including PANDAS and PANS. Treatment includes long-term antibiotics, intravenous immunoglobulin therapy, steroids, plasmapheresis, and psychopharmacological interventions. Plans cannot exclude coverage due to a diagnosis of autoimmune encephalopathy or encephalitis.
Maryland	<a href="#">HB 15</a>	Requires insurers, HMOs, and nonprofit health service plans to cover medically necessary diagnosis, evaluation, and treatment of PANDAS and PANS, including intravenous immunoglobulin therapy.
Massachusetts	<a href="#">H 920</a> <a href="#">H 947</a> <a href="#">H 990</a> <a href="#">S 613</a>	Requires policies, contracts, agreements, plans, or certificates of insurance, including HMO contracts, to cover PANDAS and PANS treatment, including intravenous immunoglobulin therapy.
New York	<a href="#">AB 2897</a> <a href="#">SB 1994</a>	Requires health plans to provide coverage for a person with PANS if the attending physician certifies in writing the proposed rehabilitative treatment’s medical necessity.
Oregon	<a href="#">HB 2511</a>	Requires health benefit plans to cover the cost of PANDAS and PANS treatment, including intravenous immunoglobulin therapy and plasmapheresis.

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