

# **WEST VIRGINIA LEGISLATURE**

**2018 REGULAR SESSION**

**Engrossed**

## **Senate Bill 242**

BY SENATORS TRUMP, BLAIR, MARONEY, AND RUCKER

[Introduced January 11, 2018; Referred  
to the Committee on Health and Human Resources]



1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §33-6-38; to amend said code by adding thereto a new section, designated  
3 §33-15-4l; to amend said code by adding thereto a new section, designated §33-16-3x;  
4 and to amend said code by adding thereto a new section, designated §33-25A-8l, all  
5 relating to requiring health insurance providers to provide coverage for long-term antibiotic  
6 therapy for a patient with Lyme disease.

*Be it enacted by the Legislature of West Virginia:*

## **ARTICLE 6. THE INSURANCE POLICY.**

### **§33-6-38. Lyme disease to be covered by all health insurance policies.**

1 All individual and group health insurance policies providing coverage on an expense-  
2 incurred basis and individual and group service or indemnity type contracts issued by a nonprofit  
3 corporation shall provide coverage for long-term antibiotic therapy for a patient with Lyme disease  
4 when determined to be medically necessary and ordered by a licensed physician after making a  
5 thorough evaluation of the patient's symptoms, diagnostic test results, or response to treatment.

## **ARTICLE 15. ACCIDENT AND SICKNESS INSURANCE.**

### **§33-15-4p. Lyme disease to be covered by all health insurance policies.**

1 Any insurer who, on or after January 1, 2019, delivers or issues a policy of accident and  
2 sickness insurance in this state under the provisions of this article shall make available as benefits  
3 to all subscribers and members coverage on an expense-incurred basis and individual and group  
4 service or indemnity type contracts issued by a nonprofit corporation shall provide coverage for  
5 long-term antibiotic therapy for a patient with Lyme disease when determined to be medically  
6 necessary and ordered by a licensed physician after making a thorough evaluation of the patient's  
7 symptoms, diagnostic test results, or response to treatment.

## **ARTICLE 16. GROUP ACCIDENT AND SICKNESS INSURANCE.**

### **§33-16-3zz. Lyme disease to be covered by all health insurance policies.**

1 Any insurer who, on or after January 1, 2019, delivers or issues a policy of group accident  
2 and sickness insurance in this state under the provisions of this article shall make available as

3 benefits to all subscribers and members coverage on an expense-incurred basis and individual  
4 and group service or indemnity type contracts issued by a nonprofit corporation shall provide  
5 coverage for long-term antibiotic therapy for a patient with Lyme disease when determined to be  
6 medically necessary and ordered by a licensed physician after making a thorough evaluation of  
7 the patient's symptoms, diagnostic test results, or response to treatment.

**ARTICLE 25A. HEALTH MAINTENANCE ORGANIZATION ACT.**

**§33-25A-8p. Lyme disease to be covered by all health insurance policies.**

1 A health maintenance organization issuing coverage in this state pursuant to the  
2 provisions of this article shall make available as benefits to all subscribers and members coverage  
3 on an expense-incurred basis and individual and group service or indemnity type contracts issued  
4 by a nonprofit corporation shall provide coverage for long-term antibiotic therapy for a patient with  
5 Lyme disease when determined to be medically necessary and ordered by a licensed physician  
6 after making a thorough evaluation of the patient's symptoms, diagnostic test results, or response  
7 to treatment.