

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

ENGROSSED

Committee Substitute

for

House Bill 4956

By Delegate Rohrbach

[Originating in the Committee on Health and Human

Resources; Reported on February 22, 2024]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §5-16-8b; to amend said code by adding thereto a new section, designated §9-
3 5-34; to amend said code by adding thereto a new section, designated §33-15-24; to
4 amend said code by adding thereto a new section, designated §33-16-20; to amend said
5 code by adding thereto a new section, designated §33-24-15; and to amend said code by
6 adding thereto a new section designated §33-25-23 and to amend said code by adding
7 thereto a new section designated §33-25A-37, all relating to requiring health benefit plan
8 coverage; requiring coverage for medically necessary dental procedures that result from
9 cancer treatment; and explaining scope of procedures covered as a result of certain cancer
10 treatments.

Be it enacted by the Legislature of West Virginia:

**CHAPTER 5. GENERAL POWERS AND AUTHORITY OF THE
GOVERNOR, SECRETARY OF STATE AND ATTORNEY GENERAL;
BOARD OF PUBLIC WORKS; MISCELLANEOUS AGENCIES,
COMMISSIONS, OFFICES, PROGRAMS, ETC.**

ARTICLE 16. WEST VIRGINIA PUBLIC EMPLOYEES INSURANCE ACT.

§5-16-8b. Medical oral health coverage required.

1 (a) On or after July 1, 2024, a policy, plan or contract subject to this article shall provide
2 coverage for oral health procedures that are necessary to receive or are the result of cancer
3 treatments including surgery, chemotherapy, biotherapy, pharmacology, immunotherapy, or
4 radiation.

5 (b) The coverage required under this section shall include evaluations, examinations,
6 patient education, laboratory assessments, medications, treatments, restoration, rehabilitation,
7 medical devices, and prosthesis needed to obtain cancer treatment or restore whole or partial

8 function associated with eating, breathing, voice, speech, and swallowing related to a cancer
9 diagnosis.

10 (c) One year following implementation, the Public Employees Insurance Agency shall
11 report to the Joint Committee on Government and Finance the cost of this change.

CHAPTER 9. HUMAN SERVICES.

ARTICLE 5. MISCELLANEOUS PROVISIONS.

§9-5-34. Medical oral health coverage required.

1 (a) On or after July 1, 2024, a policy, plan or contract subject to this article shall provide
2 coverage for oral health procedures that are necessary to receive or are the result of cancer
3 treatments including surgery, chemotherapy, biotherapy, pharmacology, immunotherapy, or
4 radiation.

5 (b) The coverage required under this section shall include evaluations, examinations,
6 patient education, laboratory assessments, medications, treatments, restoration, rehabilitation,
7 medical devices, and prosthesis needed to obtain cancer treatment or restore whole or partial
8 function associated with eating, breathing, voice, speech, and swallowing related to a cancer
9 diagnosis.

10 (c) One year following implementation, the Bureau of Medical Services shall report to the
11 Joint Committee on Government and Finance the cost of this change.

CHAPTER 33. INSURANCE.

ARTICLE 15. ACCIDENT AND SICKNESS INSURANCE.

§33-15-24. Medical oral health coverage required.

1 (a) An insurer who, on or after July 1, 2024, 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 for oral health procedures that are necessary to receive

3 or are the result of cancer treatments including surgery, chemotherapy, biotherapy, pharmacology,
4 immunotherapy, or radiation.

5 (b) The coverage required under this section shall include evaluations, examinations,
6 patient education, laboratory assessments, medications, treatments, restoration, rehabilitation,
7 medical devices, and prosthesis needed to obtain cancer treatment or restore whole or partial
8 function associated with eating, breathing, voice, speech, and swallowing related to a cancer
9 diagnosis.

ARTICLE 16. GROUP ACCIDENT AND SICKNESS INSURANCE.

§33-16-20. Medical oral health coverage required.

1 (a) On or after July 1, 2024, a policy, plan or contract subject to this article shall provide
2 coverage for oral health procedures that are necessary to receive or are the result of cancer
3 treatments including surgery, chemotherapy, biotherapy, pharmacology, immunotherapy, or
4 radiation.

5 (b) The coverage required under this section shall include evaluations, examinations,
6 patient education, laboratory assessments, medications, treatments, restoration, rehabilitation,
7 medical devices, and prosthesis needed to obtain cancer treatment or restore whole or partial
8 function associated with eating, breathing, voice, speech, and swallowing related to a cancer
9 diagnosis.

**ARTICLE 24. HOSPITAL SERVICE CORPORATIONS, MEDICAL SERVICE
CORPORATIONS, DENTAL SERVICE CORPORATIONS AND HEALTH
SERVICE CORPORATIONS.**

§33-24-15. Medical oral health coverage required.

1 (a) On or after July 1, 2024, a policy, plan or contract subject to this article shall provide
2 coverage for oral health procedures that are necessary to receive or are the result of cancer

2 treatments including surgery, chemotherapy, biotherapy, pharmacology, immunotherapy, or
3 radiation.

4 (b) The coverage required under this section shall include evaluations, examinations,
5 patient education, laboratory assessments, medications, treatments, restoration, rehabilitation,
6 medical devices, and prosthesis needed to obtain cancer treatment or restore whole or partial
7 function associated with eating, breathing, voice, speech, and swallowing related to a cancer
8 diagnosis.

ARTICLE 25. HEALTH CARE CORPORATIONS.

§33-25-23. Medical oral health coverage required.

1 (a) On or after July 1, 2024, a policy, plan or contract subject to this article shall provide
2 coverage for oral health procedures that are necessary to receive or are the result of cancer
3 treatments including surgery, chemotherapy, biotherapy, pharmacology, immunotherapy, or
4 radiation.

5 (b) The coverage required under this section shall include evaluations, examinations,
6 patient education, laboratory assessments, medications, treatments, restoration, rehabilitation,
7 medical devices, and prosthesis needed to obtain cancer treatment or restore whole or partial
8 function associated with eating, breathing, voice, speech, and swallowing related to a cancer
9 diagnosis.

ARTICLE 25A. HEALTH MAINTENANCE ORGANIZATION ACT.

§33-25A-37. Medical oral health coverage required.

1 (a) On or after July 1, 2024, a policy, plan or contract subject to this article shall provide
2 coverage for oral health procedures that are necessary to receive or are the result of cancer
3 treatments including surgery, chemotherapy, biotherapy, pharmacology, immunotherapy, or
4 radiation.

5 (b) The coverage required under this section shall include evaluations, examinations,
6 patient education, laboratory assessments, medications, treatments, restoration, rehabilitation,
7 medical devices, and prosthesis needed to obtain cancer treatment or restore whole or partial
8 function associated with eating, breathing, voice, speech, and swallowing related to a cancer
9 diagnosis.