

WEST VIRGINIA LEGISLATURE

2025 REGULAR SESSION

ENGROSSED

House Bill 3505

By Delegates Barnhart, Hall, Rorhbach, Hott, Riley,
Fehrenbacher, J. Cannon, Dittman, Mazzocchi,
Statler and Canterbury

[Originating in the Committee on Finance, March 21,
2025]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding seven new sections,
2 designated §5-16-8b, §9-5-34, §33-15-24, §33-16-20, §33-24-15, §33-25-23 and §33-
3 25A-37, relating to insurance; and providing health insurance coverage for scalp cooling
4 systems for the preservation of hair during cancer chemotherapy treatment.

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. Required coverage for scalp cooling system for cancer chemotherapy treatment.

1 (a) A policy, plan or contract that is issued or renewed on or after January 1, 2026, and is
2 subject to this article that provides coverage for cancer chemotherapy treatment shall provide
3 coverage for scalp cooling systems used in connection with cancer chemotherapy treatment.
4 Coverage provided under this section may be subject to annual deductibles and coinsurance,
5 including copayments, as may be deemed appropriate by the commissioner and as are consistent
6 with those established for other benefits within a given policy.

7 (b) For the purpose of this section, "scalp cooling system" means any device used to cool
8 the human scalp to prevent or reduce hair loss during cancer chemotherapy treatment, provided
9 that such device is designed and intended for repeated use and is primarily and customarily used
10 to serve a medical purpose.

CHAPTER 9. HUMAN SERVICES.

ARTICLE 5. MISCELLANEOUS PROVISIONS.

§9-5-34. Required coverage for scalp cooling system for cancer chemotherapy treatment.

1 (a) A policy, plan or contract that is issued or renewed on or after January 1, 2026, and is
2 subject to this article that provides coverage for cancer chemotherapy treatment shall provide
3 coverage for scalp cooling systems used in connection with cancer chemotherapy treatment.
4 Coverage provided under this section may be subject to annual deductibles and coinsurance,
5 including copayments, as may be deemed appropriate by the commissioner and as are consistent
6 with those established for other benefits within a given policy.

7 (b) For the purpose of this section, "scalp cooling system" means any device used to cool
8 the human scalp to prevent or reduce hair loss during cancer chemotherapy treatment, provided
9 that such device is designed and intended for repeated use and is primarily and customarily used
10 to serve a medical purpose.

CHAPTER 33. INSURANCE.

ARTICLE 15. ACCIDENT AND SICKNESS INSURANCE.

§33-15-24. Required coverage for scalp cooling system for cancer chemotherapy treatment.

1 (a) A policy, plan or contract that is issued or renewed on or after January 1, 2026, and is
2 subject to this article that provides coverage for cancer chemotherapy treatment shall provide
3 coverage for scalp cooling systems used in connection with cancer chemotherapy treatment.
4 Coverage provided under this section may be subject to annual deductibles and coinsurance,
5 including copayments, as may be deemed appropriate by the commissioner and as are consistent
6 with those established for other benefits within a given policy.

7 (b) For the purpose of this section, "scalp cooling system" means any device used to cool
8 the human scalp to prevent or reduce hair loss during cancer chemotherapy treatment, provided
9 that such device is designed and intended for repeated use and is primarily and customarily used
10 to serve a medical purpose.

ARTICLE 16. GROUP ACCIDENT AND SICKNESS INSURANCE.

§33-16-20. Required coverage for scalp cooling system for cancer chemotherapy treatment.

1 (a) A policy, plan or contract that is issued or renewed on or after January 1, 2026, and is
2 subject to this article that provides coverage for cancer chemotherapy treatment shall provide
3 coverage for scalp cooling systems used in connection with cancer chemotherapy treatment.
4 Coverage provided under this section may be subject to annual deductibles and coinsurance,
5 including copayments, as may be deemed appropriate by the commissioner and as are consistent
6 with those established for other benefits within a given policy.

7 (b) For the purpose of this section, "scalp cooling system" means any device used to cool
8 the human scalp to prevent or reduce hair loss during cancer chemotherapy treatment, provided
9 that such device is designed and intended for repeated use and is primarily and customarily used
10 to serve a medical purpose.

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

§33-24-15. Required coverage for scalp cooling system for cancer chemotherapy treatment.

1 (a) A policy, plan or contract that is issued or renewed on or after January 1, 2026, and is
2 subject to this article that provides coverage for cancer chemotherapy treatment shall provide
3 coverage for scalp cooling systems used in connection with cancer chemotherapy treatment.
4 Coverage provided under this section may be subject to annual deductibles and coinsurance,
5 including copayments, as may be deemed appropriate by the commissioner and as are consistent
6 with those established for other benefits within a given policy.

7 (b) For the purpose of this section, "scalp cooling system" means any device used to cool
8 the human scalp to prevent or reduce hair loss during cancer chemotherapy treatment, provided
9 that such device is designed and intended for repeated use and is primarily and customarily used
10 to serve a medical purpose.

ARTICLE 25. HEALTH CARE CORPORATIONS.

§33-25-23. Required coverage for scalp cooling system for cancer chemotherapy treatment.

1 (a) A policy, plan or contract that is issued or renewed on or after January 1, 2026, and is
2 subject to this article that provides coverage for cancer chemotherapy treatment shall provide
3 coverage for scalp cooling systems used in connection with cancer chemotherapy treatment.
4 Coverage provided under this section may be subject to annual deductibles and coinsurance,
5 including copayments, as may be deemed appropriate by the commissioner and as are consistent
6 with those established for other benefits within a given policy.

7 (b) For the purpose of this section, "scalp cooling system" means any device used to cool
8 the human scalp to prevent or reduce hair loss during cancer chemotherapy treatment, provided
9 that such device is designed and intended for repeated use and is primarily and customarily used
10 to serve a medical purpose.

ARTICLE 25A. HEALTH MAINTENANCE ORGANIZATION ACT.

§33-25A-37. Required coverage for scalp cooling system for cancer chemotherapy treatment.

1 (a) A policy, plan or contract that is issued or renewed on or after January 1, 2026, and is
2 subject to this article that provides coverage for cancer chemotherapy treatment shall provide
3 coverage for scalp cooling systems used in connection with cancer chemotherapy treatment.
4 Coverage provided under this section may be subject to annual deductibles and coinsurance,

4 including copayments, as may be deemed appropriate by the commissioner and as are consistent
5 with those established for other benefits within a given policy.

6 (b) For the purpose of this section, "scalp cooling system" means any device used to cool
7 the human scalp to prevent or reduce hair loss during cancer chemotherapy treatment, provided
8 that such device is designed and intended for repeated use and is primarily and customarily used
9 to serve a medical purpose.