

# **WEST VIRGINIA LEGISLATURE**

## **2025 REGULAR SESSION**

### **Originating**

## **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.**

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

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

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

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

NOTE: The purpose of this bill is to provide health insurance coverage for scalp cooling systems or the preservation of hair during cancer chemotherapy treatment.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.