



DRAFT Proposed New Bulletin No. B-4.1XX

Concerning Coverage of PANs/PANDAs in Health Benefit Plans

I. Background and Purpose

In 2024, the Colorado General Assembly passed House Bill 24-1382 (HB 24-1382) concerning coverage of the prophylaxis, diagnosis, and treatment of pediatric acute-onset neuropsychiatric syndrome (PANs) and pediatric autoimmune neuropsychiatric disorder associated with streptococcal infections (PANDAs), to the extent that such coverage is not in addition to benefits provided pursuant to the Colorado Essential Health Benefits (EHB) benchmark plan. The legislation requires the Division of Insurance (Division) to determine whether this benefit would be subject to state defrayal and submit its determination to the U.S. Department of Health & Human Services (“HHS”).

The purpose of this bulletin is to clarify the Division’s position regarding coverage for PANs/PANDAs for a covered person in accordance with HB 24-1382.

Bulletins are the Division’s interpretations of existing insurance law or general statements of Division policy. Bulletins themselves establish neither binding norms nor finally determine issues or rights.

II. Applicability and Scope

This bulletin is intended to provide guidance to all carriers that issue health benefit plans in 2026.

III. Division Position

Pursuant to Section 10-16-104(27)(g)(II), C.R.S., carriers are reminded that coverage of the prophylaxis, diagnosis, and treatment of PANs/PANDAs is required for large group plans issued or renewed on or after January 1, 2025.

Section 10-16-104(27), C.R.S. requires individual and small group plans to provide coverage for PANs/PANDAs “to the extent that such coverage is not in addition to the benefits provided pursuant to the benchmark plan.” The statute requires the Division to seek confirmation from HHS that the coverage does not require the state to defray the costs of coverage. The Division submitted a letter to HHS on February 27, 2025. Based on subsequent conversations with HHS:

- Coverage of prophylaxis, diagnosis and treatment with antibiotics, medication therapies and behavioral health therapies to manage neuropsychiatric symptoms are not in addition to EHB;
- Coverage of treatment using intravenous immunoglobulin (IVIG) and plasma exchange is in addition to benefits in the state's EHB benchmark plan and therefore, individual and small groups plans are not required to provide such coverage.

Other states may reach different, reasonable determinations with respect to similar legislation proposed in those states.

In the event that HHS attempts in the future to require defrayal of any additional costs from the benefits described in HB 24-1382, the Division will notify the Joint Budget Committee and the relevant House and Senate Health Committees.

IV. Additional Resources

Colorado Benchmark Plan:

<https://doi.colorado.gov/insurance-products/health-insurance/aca-information/aca-benchmark-health-insurance-plan-selection>

V. History

Issued Month, Day, Year.