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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 3530

03/08/2018 Authored by Albright
The bill was read for the first time and referred to the Committee on Health and Human Services Reform
03/14/2018 Adoption of Report: Re-referred to the Committee on Government Operations and Elections Policy

1.1 A bill for an act
1.2 relating to health; establishing an advisory council on pediatric autoimmune
1.3 neuropsychiatric disorders associated with streptococcal infections and pediatric
1.4 acute-onset neuropsychiatric syndrome; proposing coding for new law in Minnesota
1.5 Statutes, chapter 144.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. [144.131] ADVISORY COUNCIL ON PANDAS AND PANS.

1.8 Subdivision 1. Advisory council established. The commissioner of health shall establish
1.9 an advisory council on pediatric autoimmune neuropsychiatric disorders associated with
1.10 streptococcal infections (PANDAS) and pediatric acute-onset neuropsychiatric syndrome
1.11 (PANS) to advise the commissioner regarding research, diagnosis, treatment, and education
1.12 relating to PANDAS and PANS.

1.13 Subd. 2. Membership. (a) The advisory council shall consist of 13 public members
1.14 appointed according to paragraph (b) and two members of the legislature appointed according
1.15 to paragraph (c).

1.16 (b) The commissioner shall appoint the following public members to the advisory council
1.17 in the manner provided in section 15.0597:

1.18 (1) an immunologist who is licensed by the Board of Medical Practice and who has
1.19 experience treating PANS with the use of intravenous immunoglobulin;

1.20 (2) a health care provider who is licensed and practicing in Minnesota and who has
1.21 experience treating persons with PANS and autism spectrum disorder;

1.22 (3) a representative of a nonprofit PANS advocacy organization;

2.1 (4) a family practice physician who is licensed by the Board of Medical Practice and
2.2 practicing in Minnesota and who has experience treating persons with PANS;

2.3 (5) a medical researcher with experience conducting research on PANDAS, PANS,
2.4 obsessive-compulsive disorder, and other neurological disorders;

2.5 (6) a health care provider who is licensed and practicing in Minnesota and who has
2.6 expertise in treating patients with eating disorders;

2.7 (7) a representative of a professional organization in Minnesota for school psychologists
2.8 or school social workers;

2.9 (8) a child psychiatrist who is licensed by the Board of Medical Practice and practicing
2.10 in Minnesota and who has experience treating persons with PANS;

2.11 (9) a pediatrician who is licensed by the Board of Medical Practice and practicing in
2.12 Minnesota and who has experience treating persons with PANS;

2.13 (10) a representative of an organization focused on autism spectrum disorder;

2.14 (11) a parent of a child who has been diagnosed with PANS and autism spectrum disorder;

2.15 (12) a social worker licensed by the Board of Social Work and practicing in Minnesota;
2.16 and

2.17 (13) a designee of the commissioner of education with expertise in special education.

2.18 (c) Legislative members shall be appointed to the advisory council as follows:

2.19 (1) the Subcommittee on Committees of the Committee on Rules and Administration
2.20 in the senate shall appoint one member from the senate; and

2.21 (2) the speaker of the house shall appoint one member from the house of representatives.

2.22 (d) The commissioner of health or a designee shall serve as a nonvoting member of the
2.23 advisory council.

2.24 Subd. 3. **Terms.** Members of the advisory council shall serve for a term of three years
2.25 and may be reappointed. Members shall serve until their successors have been appointed.

2.26 Subd. 4. **Administration.** The commissioner of health or the commissioner's designee
2.27 shall provide meeting space and administrative services for the advisory council.

2.28 Subd. 5. **Compensation and expenses.** Public members of the advisory council shall
2.29 not receive compensation but may be reimbursed for allowed actual and necessary expenses
2.30 incurred in the performance of the member's duties for the advisory council, in the same

3.1 manner and amount as authorized by the commissioner's plan adopted under section 43A.18,
3.2 subdivision 2.

3.3 Subd. 6. **Chair; meetings.** (a) At the advisory council's first meeting, and every two
3.4 years thereafter, the members of the advisory council shall elect from among their
3.5 membership a chair and a vice-chair, whose duties shall be established by the advisory
3.6 council.

3.7 (b) The chair of the advisory council shall fix a time and place for regular meetings. The
3.8 advisory council shall meet at least four times each year at the call of the chair or at the
3.9 request of a majority of the advisory council's members.

3.10 Subd. 7. **Duties.** The advisory council shall:

3.11 (1) advise the commissioner regarding research, diagnosis, treatment, and education
3.12 relating to PANDAS and PANS;

3.13 (2) annually develop recommendations on the following issues related to PANDAS and
3.14 PANS:

3.15 (i) practice guidelines for diagnosis and treatment;

3.16 (ii) ways to increase clinical awareness and education of PANDAS and PANS among
3.17 pediatricians, other physicians, school-based health centers, and providers of mental health
3.18 services;

3.19 (iii) outreach to educators and parents to increase awareness of PANDAS and PANS;
3.20 and

3.21 (iv) development of a network of volunteer experts on the diagnosis and treatment of
3.22 PANDAS and PANS to assist in education and research; and

3.23 (3) by October 1, 2019, and each October 1 thereafter, complete an annual report with
3.24 the advisory council's recommendations on the issues listed in clause (2), and submit the
3.25 report to the chairs and ranking minority members of the legislative committees with
3.26 jurisdiction over health care and education. The commissioner shall also post a copy of each
3.27 annual report on the Department of Health Web site.

3.28 Subd. 8. **Expiration.** The advisory council expires October 1, 2024.

4.1 Sec. 2. **ADVISORY COUNCIL ON PANDAS AND PANS; INITIAL**
4.2 **APPOINTMENTS AND FIRST MEETING.**

4.3 The appointing authorities shall appoint the first members of the advisory council on
4.4 PANDAS and PANS under Minnesota Statutes, section 144.131, no later than October 1,
4.5 2018. The commissioner of health shall convene the first meeting by November 1, 2018,
4.6 and the commissioner or the commissioner's designee shall act as chair until the advisory
4.7 council elects a chair at its first meeting. Notwithstanding the length of terms specified in
4.8 Minnesota Statutes, section 144.131, subdivision 3, at the first meeting of the advisory
4.9 council, the chair elected by the members shall determine by lot one-third of the advisory
4.10 council members whose terms shall expire on September 30 of the calendar year following
4.11 the year of first appointment, one-third of the advisory council members whose terms shall
4.12 expire on September 30 of the second calendar year following the year of first appointment,
4.13 and the remaining advisory council members whose terms shall expire on September 30 of
4.14 the third calendar year following the year of first appointment.