

House Engrossed

AHCCCS; rapid genome sequencing

State of Arizona  
House of Representatives  
Fifty-sixth Legislature  
First Regular Session  
2023

# HOUSE BILL 2470

AN ACT

AMENDING TITLE 36, CHAPTER 29, ARTICLE 1, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 36-2907.16; RELATING TO THE ARIZONA HEALTH CARE COST  
CONTAINMENT SYSTEM.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 36, chapter 29, article 1, Arizona Revised  
3 Statutes, is amended by adding section 36-2907.16, to read:

4 36-2907.16. Rapid whole genome sequencing; coverage  
5 requirements; rules; administrative action;  
6 definition

7 A. SUBJECT TO ANY REQUIRED APPROVAL OF THE CENTERS FOR MEDICARE AND  
8 MEDICAID SERVICES, THE ADMINISTRATION AND ITS CONTRACTORS SHALL PROVIDE  
9 COVERAGE OF RAPID WHOLE GENOME SEQUENCING AS A SEPARATELY PAYABLE SERVICE  
10 FOR MEMBERS IF THE MEMBER MEETS ALL OF THE FOLLOWING CRITERIA:

11 1. IS UNDER ONE YEAR OF AGE.

12 2. HAS A COMPLEX OR ACUTE ILLNESS OF UNKNOWN ETIOLOGY THAT IS NOT  
13 CONFIRMED TO BE CAUSED BY AN ENVIRONMENTAL EXPOSURE, TOXIC INGESTION,  
14 INFECTION WITH NORMAL RESPONSE TO THERAPY OR TRAUMA.

15 3. IS RECEIVING INPATIENT HOSPITAL SERVICES IN AN INTENSIVE CARE  
16 UNIT OR A HIGH ACUITY PEDIATRIC CARE UNIT.

17 B. THE COVERAGE PROVIDED PURSUANT TO THIS SECTION MAY BE SUBJECT TO  
18 APPLICABLE EVIDENCE-BASED MEDICAL NECESSITY CRITERIA THAT ARE BASED ON ANY  
19 OF THE FOLLOWING:

20 1. THE PATIENT HAS SYMPTOMS THAT SUGGEST A BROAD DIFFERENTIAL  
21 DIAGNOSIS THAT WOULD REQUIRE AN EVALUATION BY MULTIPLE GENETIC TESTS IF  
22 RAPID WHOLE GENOME SEQUENCING IS NOT PERFORMED.

23 2. THE PATIENT'S TREATING HEALTH CARE PROVIDER DETERMINES THAT  
24 TIMELY IDENTIFICATION OF A MOLECULAR DIAGNOSIS IS NECESSARY TO GUIDE  
25 CLINICAL DECISION-MAKING AND THAT TESTING RESULTS MAY GUIDE THE TREATMENT  
26 OR MANAGEMENT OF THE PATIENT'S CONDITION.

27 3. THE PATIENT HAS A COMPLEX OR ACUTE ILLNESS OF UNKNOWN ETIOLOGY,  
28 INCLUDING AT LEAST ONE OF THE FOLLOWING CONDITIONS:

29 (a) CONGENITAL ANOMALIES INVOLVING AT LEAST TWO ORGAN SYSTEMS OR  
30 COMPLEX OR MULTIPLE CONGENITAL ANOMALIES IN ONE ORGAN SYSTEM.

31 (b) SPECIFIC ORGAN MALFORMATIONS SUGGESTIVE OF A GENETIC ETIOLOGY.

32 (c) ABNORMAL LABORATORY TESTS OR ABNORMAL CHEMISTRY PROFILES  
33 SUGGESTING THE PRESENCE OF A GENETIC DISEASE, COMPLEX METABOLIC DISORDER  
34 OR INBORN ERROR OF METABOLISM.

35 (d) REFRACTORY OR SEVERE HYPOGLYCEMIA OR HYPERGLYCEMIA.

36 (e) AN ABNORMAL RESPONSE TO THERAPY RELATED TO AN UNDERLYING  
37 MEDICAL CONDITION AFFECTING VITAL ORGANS OR BODILY SYSTEMS.

38 (f) SEVERE MUSCLE WEAKNESS, RIGIDITY OR SPASTICITY.

39 (g) REFRACTORY SEIZURES.

40 (h) A HIGH-RISK STRATIFICATION ON EVALUATION FOR A BRIEF RESOLVED  
41 UNEXPLAINED EVENT WITH ANY OF THE FOLLOWING:

42 (i) A RECURRENT EVENT WITHOUT RESPIRATORY INFECTION.

43 (ii) A RECURRENT SEIZURE-LIKE EVENT.

44 (iii) A RECURRENT CARDIOPULMONARY RESUSCITATION.

1 (i) ABNORMAL CARDIAC DIAGNOSTIC TESTING RESULTS SUGGESTIVE OF  
2 POSSIBLE CHANNELOPATHIES, ARRHYTHMIAS, CARDIOMYOPATHIES, MYOCARDITIS OR  
3 STRUCTURAL HEART DISEASE.

4 (j) ABNORMAL DIAGNOSTIC IMAGING STUDIES OR PHYSIOLOGIC FUNCTION  
5 STUDIES SUGGESTIVE OF AN UNDERLYING GENETIC CONDITION OR ETIOLOGY.

6 (k) FAMILY GENETIC HISTORY RELATED TO THE PATIENT'S CONDITION.

7 C. GENETIC DATA GENERATED AS A RESULT OF PERFORMING RAPID WHOLE  
8 GENOME SEQUENCING THAT IS COVERED PURSUANT TO THIS SECTION:

9 1. SHALL HAVE A PRIMARY USE OF ASSISTING THE ORDERING HEALTH CARE  
10 PROFESSIONAL AND TREATING CARE TEAM TO DIAGNOSE AND TREAT THE PATIENT.

11 2. PROTECTED HEALTH INFORMATION THAT IS SUBJECT TO THE REQUIREMENTS  
12 APPLICABLE TO PROTECTED HEALTH INFORMATION AS SET FORTH IN THE HEALTH  
13 INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 AND THE HEALTH  
14 INFORMATION TECHNOLOGY FOR ECONOMIC AND CLINICAL HEALTH ACT, AND THEIR  
15 ATTENDANT REGULATIONS, INCLUDING THE HEALTH INSURANCE PORTABILITY AND  
16 ACCOUNTABILITY ACT PRIVACY STANDARDS (45 CODE OF FEDERAL REGULATIONS PART  
17 160 AND PART 164, SUBPARTS A AND E).

18 D. THE DIRECTOR SHALL SUBMIT ANY NEW WAIVER APPLICATION, AMENDMENT  
19 TO AN EXISTING WAIVER OR MEDICAID STATE PLAN AMENDMENT NECESSARY FOR  
20 APPROVAL FROM THE CENTERS FOR MEDICARE AND MEDICAID SERVICES FOR COVERAGE  
21 OF RAPID WHOLE GENOME SEQUENCING AS PRESCRIBED IN THIS SECTION. THE  
22 DIRECTOR MAY ADOPT ANY RULES OR TAKE ANY OTHER ADMINISTRATIVE ACTION  
23 NECESSARY TO IMPLEMENT THIS SECTION.

24 E. FOR THE PURPOSES OF THIS SECTION, "RAPID WHOLE GENOME  
25 SEQUENCING":

26 1. MEANS AS AN INVESTIGATION OF THE ENTIRE HUMAN GENOME, INCLUDING  
27 CODING AND NONCODING REGIONS AND MITOCHONDRIAL DEOXYRIBONUCLEIC ACID, THAT  
28 IDENTIFIES DISEASE-CAUSING GENETIC CHANGES AND THAT RETURNS THE  
29 PRELIMINARY POSITIVE RESULTS WITHIN FIVE DAYS AND FINAL RESULTS WITHIN  
30 FOURTEEN DAYS.

31 2. INCLUDES PATIENT-ONLY WHOLE GENOME SEQUENCING AND DUO AND TRIO  
32 WHOLE GENOME SEQUENCING OF THE PATIENT AND THE PATIENT'S BIOLOGICAL PARENT  
33 OR PARENTS.