

# Legislative Analysis



## PANDAS ADVISORY COUNCIL

### House Bill 4302 as introduced

**Sponsor: Rep. Aaron Miller**

**Committee: Health Policy**

**Complete to 3-12-19**

Phone: (517) 373-8080

<http://www.house.mi.gov/hfa>

Analysis available at

<http://www.legislature.mi.gov>

## SUMMARY:

House Bill 4302 would add a section to Article 5 (Prevention and Control of Diseases and Disabilities) of the Public Health Code, which would create an advisory council on pediatric autoimmune neuropsychiatric disorder associated with streptococcal infections (PANDAS) within the Department of Health and Human Services (DHHS).

**PANDAS** may be diagnosed when a child suddenly displays obsessive-compulsive disorder (OCD) and/or tic disorder following a strep infection or when those symptoms suddenly become worse following a strep infection.<sup>1</sup>

**PANS** is a newer term used to describe the larger class of acute-onset OCD cases, not just those associated with strep infections.<sup>2</sup>

### Council members

The advisory council would consist of the following 15 members, appointed by the DHHS director:

- An immunologist practicing in Michigan with experience treating individuals with PANDAS and pediatric acute neuropsychiatric syndrome (PANS) and the use of intravenous immunoglobulin.
- A licensed health professional who has expertise in treating individuals with PANDAS and PANS and autism.
- A representative of PANDAS/PANS advocacy and support.
- An osteopathic physician who has experience treating individuals with PANDAS/PANS.
- A medical researcher with experience conducting research concerning PANDAS, PANS, obsessive-compulsive disorder, tic disorder, and other neurological disorders.
- A dietitian who is practicing in this state and who provides services to children with autism spectrum disorder, attention-deficit hyperactivity disease, and other neuro-developmental conditions.
- A representative of a professional organization in the state for school psychologists.
- A child psychiatrist who has experience treating individuals with PANDAS and PANS.
- A representative of a professional organization in the state for school nurses.
- A pediatrician who has experience treating individuals with PANDAS and PANS.
- A representative of an organization focused on autism.
- A parent of a child who has been diagnosed with PANDAS or PANS and autism.
- An individual licensed under Article 15 as a social worker.
- A representative of the Office of Special Education within the Michigan Department of Education.

<sup>1</sup> <https://www.nimh.nih.gov/health/publications/pandas/index.shtml>

<sup>2</sup> <https://www.nimh.nih.gov/labs-at-nimh/research-areas/clinics-and-labs/sbp/information-about-pans-pandas.shtml>

- A representative of the general public.

Additionally, the DHHS director would serve as a non-voting ex officio member of the advisory council.

#### **Council functions and responsibilities**

The initial members of the council would be appointed within 60 days of the bill's effective date, with members serving four-year terms following initial staggered terms. Members could be removed by the DHHS director for incompetence, dereliction of duty, malfeasance, misfeasance, or nonfeasance in office, or another good cause. Within 90 days of the bill's effective date, the DHHS director would call the first meeting of the council, at which the council would elect a chairperson and other officers as it deems appropriate. Thereafter, the council would meet at the call of the chairperson or if requested by a majority of members.

Meetings would be held in compliance with the Open Meetings Act, and writings would be subject to the Freedom of Information Act (FOIA). Members would serve without compensation but could be reimbursed for expenses incurred in the performance of official duties.

#### **Annual Report**

By January 1, 2020, and annually thereafter, the council would have to submit a report to the legislature with recommendations on all of the following:

- Practice guidelines for the diagnosis and treatment of PANDAS and PANS.
- Mechanisms to increase awareness and education regarding PANDAS and PANS among physicians, school-based health centers, and providers of mental health services.
- Outreach to educators and parents to increase awareness of PANDAS and PANS.
- Development of a network of volunteer experts on the diagnosis and treatment of PANDAS and PANS to assist in education and outreach.
- Any other recommendation that the advisory council considers appropriate.

The bill would take effect 90 days after enactment.

Proposed MCL 333.5145

#### **FISCAL IMPACT:**

House Bill 4302 has modest fiscal implications for DHHS of \$30,000 to \$100,000 annually, to establish and support an advisory council, provide for staff and meeting expenses, and prepare and submit a report annually to the legislature with recommendations for treatment guidelines, and education, awareness and outreach for providers, parents, and educators. The bill establishes that compensation is not provided to the 15 appointed advisory council members, but DHHS may reimburse members for expenses incurred in the performance of their duties. The total costs would depend on the level of activity of the advisory council.

The bill would have no fiscal impact on local units of government.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.