

By: Senators Craig and Hollinger

Requested: August 16, 1995

Introduced and read first time: January 10, 1996

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 23, 1996

CHAPTER ____

1 AN ACT concerning

2 Health Insurance - Diabetes Equipment, Supplies, and Training - Coverage

3 FOR the purpose of requiring that certain insurers, nonprofit health service plans, and
4 health maintenance organizations provide coverage for certain diabetes equipment,
5 diabetes supplies, and diabetes outpatient self-management training and
6 educational services; requiring that certain diabetes outpatient self-management
7 training and educational services be provided through a program supervised by
8 certain ~~diabetes educators;~~ health care providers; requiring appointment of a
9 certain panel; requiring the panel to undertake certain reviews and make certain
10 recommendations; requiring the Secretary of Health and Mental Hygiene to report
11 within a certain period of time; providing for the application of this Act; providing
12 for a delayed effective date; and generally relating to the provision of coverage for
13 certain diabetes equipment, diabetes supplies, and diabetes outpatient
14 self-management training and educational services.

15 BY adding to

16 Article 48A - Insurance Code

17 Section 490FF

18 Annotated Code of Maryland

19 (1994 Replacement Volume and 1995 Supplement)

20 BY repealing and reenacting, with amendments,

21 Article - Health - General

22 Section 19-706 (d)

23 Annotated Code of Maryland

24 (1990 Replacement Volume and 1995 Supplement)

2

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article 48A - Insurance Code**

4 490FF.

5 (A) ANY INSURER OR NONPROFIT HEALTH SERVICE PLAN THAT PROVIDES
6 HOSPITAL, MEDICAL, OR SURGICAL BENEFITS FOR ISSUANCE OR DELIVERY IN THE
7 STATE TO ANY GROUP OR INDIVIDUAL ON AN EXPENSE-INCURRED BASIS,
8 INCLUDING A HEALTH MAINTENANCE ORGANIZATION, SHALL PROVIDE COVERAGE
9 FOR ALL MEDICALLY APPROPRIATE AND NECESSARY DIABETES EQUIPMENT,
10 DIABETES SUPPLIES, AND DIABETES OUTPATIENT SELF-MANAGEMENT TRAINING
11 AND EDUCATIONAL SERVICES THAT THE INSURED'S TREATING PHYSICIAN OR
12 OTHER APPROPRIATELY LICENSED HEALTH CARE PROVIDER, OR A PHYSICIAN WHO
13 SPECIALIZES IN THE TREATMENT OF DIABETES, CERTIFIES ARE NECESSARY.

14 (B) DIABETES OUTPATIENT SELF-MANAGEMENT TRAINING AND
15 EDUCATIONAL SERVICES SHALL BE PROVIDED THROUGH A PROGRAM SUPERVISED
16 BY ~~A DIABETES EDUCATOR CERTIFIED BY THE NATIONAL CERTIFICATION BOARD~~
17 ~~FOR DIABETES EDUCATORS~~ AN APPROPRIATELY LICENSED HEALTH CARE
18 PROVIDER WHOSE SCOPE OF PRACTICE INCLUDES DIABETES EDUCATION AND
19 MANAGEMENT.

20 (C) (1) THE SECRETARY OF HEALTH AND MENTAL HYGIENE SHALL
21 APPOINT A PANEL OF EXPERTS TO REVIEW THE COST EFFECTIVENESS OF DIABETES
22 EQUIPMENT AVAILABLE ON THE MARKET.

23 (2) THE PANEL SHALL ADVISE THE SECRETARY OF HEALTH AND
24 MENTAL HYGIENE WHETHER DIABETES EQUIPMENT REVIEWED BY THE PANEL IS
25 SUFFICIENTLY COST EFFECTIVE TO BE MANDATED FOR COVERAGE UNDER THIS
26 SECTION.

27 (3) THE PANEL SHALL MAKE RECOMMENDATIONS TO THE SECRETARY
28 OF HEALTH AND MENTAL HYGIENE FROM TIME TO TIME AND WHENEVER A
29 PARTICULAR DISPUTE ABOUT INSURANCE COVERAGE FOR DIABETES EQUIPMENT IS
30 BROUGHT TO THE SECRETARY'S ATTENTION.

31 (4) WITHIN 30 DAYS OF THE PANEL'S DECISION, THE SECRETARY OF
32 HEALTH AND MENTAL HYGIENE SHALL SUBMIT A WRITTEN REPORT ON THE
33 RECOMMENDATIONS TO THE COMMISSIONER.

34 (5) THIS SECTION MAY NOT BE CONSTRUED TO REQUIRE COVERAGE
35 FOR DIABETES EQUIPMENT NOT OTHERWISE APPROVED BY THE FEDERAL FOOD
36 AND DRUG ADMINISTRATION.

37 **Article - Health - General**

38 19-706.

39 (d) (1) The provisions of Article 48A, § 58A of the Code and Article 48A,
40 Subtitles 9A and 11 shall apply to health maintenance organizations.

3

1 (2) THE PROVISIONS OF ARTICLE 48A, § 490FF OF THE CODE SHALL
2 APPLY TO HEALTH MAINTENANCE ORGANIZATIONS.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all
4 new policies or health benefit plans issued, delivered, or renewed in the State on or after
5 the effective date of this Act.

6 SECTION ~~2.~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 ~~October 1, 1996~~ January 1, 1997.