
By: Senators Craig, Bromwell, Young, Hollinger, Hafer, Dorman, Roesser, Astle, and Dyson

Introduced and read first time: January 27, 1997

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance - Diabetes Equipment, Supplies, and Self-Management Training -**
3 **Coverage**

4 FOR the purpose of requiring certain insurers, nonprofit health service plans, and health
5 maintenance organizations to provide coverage for certain diabetes equipment,
6 supplies, and outpatient self-management training and educational services under
7 certain circumstances; authorizing an insurer, nonprofit health service plan, or
8 health maintenance organization to impose certain deductibles or coinsurance
9 requirements under certain circumstances; prohibiting an insurer, nonprofit health
10 service plan, or health maintenance organization from reducing or eliminating
11 coverages under their health insurance policies or contracts as a result of this Act;
12 providing for the application of this Act; providing for a delayed effective date; and
13 generally relating to requiring certain insurers, nonprofit health service plans, and
14 health maintenance organizations to provide coverage for certain diabetes
15 equipment, supplies, and outpatient self-management training and educational
16 services under certain circumstances.

17 BY adding to

18 Article - Insurance
19 Section 15-822
20 Annotated Code of Maryland
21 (1995 Volume and 1996 Supplement)
22 (As enacted by Chapter _____ (H.B. 11) of the Acts of the General Assembly of
23 1997)

24 BY adding to

25 Article - Health - General
26 Section 19-706(n)
27 Annotated Code of Maryland
28 (1996 Replacement Volume and 1996 Supplement)

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

2

1 **Article - Insurance**

2 15-822.

3 (A) THIS SECTION APPLIES TO:

4 (1) INSURERS AND NONPROFIT HEALTH SERVICE PLANS THAT PROVIDE
5 HOSPITAL, MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR GROUPS ON AN
6 EXPENSE-INCURRED BASIS UNDER HEALTH INSURANCE POLICIES THAT ARE ISSUED
7 OR DELIVERED IN THE STATE; AND

8 (2) HEALTH MAINTENANCE ORGANIZATIONS THAT PROVIDE HOSPITAL,
9 MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR GROUPS UNDER
10 CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE.

11 (B) AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE COVERAGE FOR
12 ALL MEDICALLY APPROPRIATE AND NECESSARY DIABETES EQUIPMENT, DIABETES
13 SUPPLIES, AND DIABETES OUTPATIENT SELF-MANAGEMENT TRAINING AND
14 EDUCATIONAL SERVICES, INCLUDING MEDICAL NUTRITION THERAPY, THAT THE
15 INSURED'S OR ENROLLEE'S TREATING PHYSICIAN OR OTHER APPROPRIATELY
16 LICENSED HEALTH CARE PROVIDER, OR A PHYSICIAN WHO SPECIALIZES IN THE
17 TREATMENT OF DIABETES, CERTIFIES ARE NECESSARY FOR THE TREATMENT OF:

18 (1) INSULIN-USING DIABETES;

19 (2) NONINSULIN-USING DIABETES; OR

20 (3) ELEVATED BLOOD GLUCOSE LEVELS INDUCED BY PREGNANCY.

21 (C) IF CERTIFIED AS NECESSARY UNDER SUBSECTION (B) OF THIS SECTION,
22 THE DIABETES OUTPATIENT SELF-MANAGEMENT TRAINING AND EDUCATIONAL
23 SERVICES, INCLUDING MEDICAL NUTRITION THERAPY, TO BE PROVIDED TO THE
24 INSURED OR ENROLLEE SHALL BE PROVIDED THROUGH A PROGRAM SUPERVISED
25 BY AN APPROPRIATELY LICENSED, REGISTERED, OR CERTIFIED HEALTH CARE
26 PROVIDER WHOSE SCOPE OF PRACTICE INCLUDES DIABETES EDUCATION OR
27 MANAGEMENT.

28 (D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE COVERAGE
29 REQUIRED UNDER THIS SECTION MAY BE SUBJECT TO THE ANNUAL DEDUCTIBLES
30 OR COINSURANCE REQUIREMENTS IMPOSED BY AN ENTITY SUBJECT TO THIS
31 SECTION FOR SIMILAR COVERAGES UNDER THE SAME HEALTH INSURANCE POLICY
32 OR CONTRACT.

33 (2) THE ANNUAL DEDUCTIBLES OR COINSURANCE REQUIREMENTS
34 IMPOSED UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR THE COVERAGE
35 REQUIRED UNDER THIS SECTION MAY NOT BE GREATER THAN THE ANNUAL
36 DEDUCTIBLES OR COINSURANCE REQUIREMENTS IMPOSED BY THE ENTITY FOR
37 SIMILAR COVERAGES.

38 (E) AN ENTITY SUBJECT TO THIS SECTION MAY NOT REDUCE OR ELIMINATE
39 COVERAGES IN ITS HEALTH INSURANCE POLICIES OR CONTRACTS DUE TO THE
40 REQUIREMENTS OF THIS SECTION.

3

1 **Article - Health - General**

2 19-706.

3 (N) THE PROVISIONS OF § 15-822 OF THE INSURANCE ARTICLE SHALL APPLY
4 TO HEALTH MAINTENANCE ORGANIZATIONS.

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

8 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 January 1, 1998.