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SB 49/96 - FIN

1997 Regular Session
7r1172
CF 7r2693

**By: Senators Craig, Bromwell, Young, Hollinger, Hafer, Dorman, Roesser, Astle, and
~~Dyson~~ Dyson, Teitelbaum, Della, Derr, and Trotter**

Introduced and read first time: January 27, 1997

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 4, 1997

CHAPTER ____

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

2

1 Section 19-706(n)
2 Annotated Code of Maryland
3 (1996 Replacement Volume and 1996 Supplement)

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

6 **Article - Insurance**

7 15-822.

8 (A) THIS SECTION APPLIES TO:

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

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

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

23 (1) INSULIN-USING DIABETES;

24 (2) NONINSULIN-USING DIABETES; OR

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

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

33 (D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE COVERAGE
34 REQUIRED UNDER THIS SECTION MAY BE SUBJECT TO THE ANNUAL DEDUCTIBLES
35 OR COINSURANCE REQUIREMENTS IMPOSED BY AN ENTITY SUBJECT TO THIS
36 SECTION FOR SIMILAR COVERAGES UNDER THE SAME HEALTH INSURANCE POLICY
37 OR CONTRACT.

38 (2) THE ANNUAL DEDUCTIBLES OR COINSURANCE REQUIREMENTS
39 IMPOSED UNDER PARAGRAPH (1) OF THIS SUBSECTION FOR THE COVERAGE
40 REQUIRED UNDER THIS SECTION MAY NOT BE GREATER THAN THE ANNUAL

3

1 DEDUCTIBLES OR COINSURANCE REQUIREMENTS IMPOSED BY THE ENTITY FOR
2 SIMILAR COVERAGES.

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

6 **Article - Health - General**

7 19-706.

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

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

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