

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 656 Session of
1997

INTRODUCED BY M. N. WRIGHT, MICOZZIE, O'BRIEN, E. Z. TAYLOR, GEORGE, DeLUCA, STABACK, COWELL, GEIST, HALUSKA, STERN, LEDERER, WALKO, OLASZ, FAIRCHILD, BISHOP, KENNEY, MELIO, NAILOR, ALLEN, YOUNGBLOOD, CURRY, SANTONI, TIGUE, McCALL, LYNCH, THOMAS, ITKIN, JOSEPHS, TRELLO, FEESE, RAYMOND, HENNESSEY, STEELMAN, ROEBUCK, JAMES, PISTELLA, J. TAYLOR, SERAFINI, TRAVAGLIO, BOSCOLA, CIVERA, BENNINGHOFF, COLAFELLA, PRESTON, ROSS, ROONEY, HORSEY, LAUGHLIN, EVANS, BUXTON, STEVENSON, HERMAN, BAKER, BLAUM, CHADWICK, ZIMMERMAN, KAISER, VEON, PERZEL, ORIE, McILHATTAN, BARD, MAJOR, BROWNE, HABAY, HASAY, LESCOVITZ, DERMODY, SEYFERT, CORPORA, LaGROTTA, STRITTMATTER, GIGLIOTTI, MARKOSEK, READSHAW, PIPPY, SAYLOR, RUBLEY, EACHUS, WILT, DeWEESE, PETRARCA, TRICH, BARRAR, KREBS, TRUE, PLATTS, L. I. COHEN, BELARDI, COY, VAN HORNE, C. WILLIAMS, FLEAGLE, DENT, BOYES, SAINATO, HESS, SCRIMENTI, PESCI, JAROLIN, CAPPABIANCA, GORDNER, COLAIZZO, MILLER, MAYERNIK, D. W. SNYDER, PHILLIPS, DALLY AND LEVDANSKY, FEBRUARY 28, 1997

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, AS AMENDED, OCTOBER 21, 1997

AN ACT

1 Amending the act of May 17, 1921 (P.L.682, No.284), entitled "An
2 act relating to insurance; amending, revising, and
3 consolidating the law providing for the incorporation of
4 insurance companies, and the regulation, supervision, and
5 protection of home and foreign insurance companies, Lloyds
6 associations, reciprocal and inter-insurance exchanges, and
7 fire insurance rating bureaus, and the regulation and
8 supervision of insurance carried by such companies,
9 associations, and exchanges, including insurance carried by
10 the State Workmen's Insurance Fund; providing penalties; and
11 repealing existing laws," providing for reimbursement for
12 diabetic supplies.

13 The General Assembly of the Commonwealth of Pennsylvania
14 hereby enacts as follows:

1 Section 1. The act of May 17, 1921 (P.L.682, No.284), known
2 as The Insurance Company Law of 1921, is amended by adding a
3 section to read:

4 Section 633. Reimbursement for Diabetic Supplies.--(a)
5 Except to the extent already covered under another policy, any
6 individual or group health, sickness and accident insurance
7 policy, group health insurance plans/policies, and all other
8 forms of managed/capitated care plans/policies or subscriber
9 contract or certificate issued by any entity subject to 40
10 Pa.C.S. Ch. 61 (relating to hospital plan corporations) or 63
11 (relating to professional health services plan corporations) or
12 the act of December 29, 1972 (P.L.1701, No.364), known as the
13 "Health Maintenance Organization Act," the act of December 14,
14 1992 (P.L.835, No.134), known as the "Fraternal Benefit
15 Societies Code," or this act, providing hospital or
16 medical/surgical coverage, shall provide coverage of the
17 equipment, supplies and outpatient self-management training and
18 education, including medical nutrition therapy for the treatment
19 of insulin-dependent diabetes, insulin-using diabetes,
20 gestational diabetes and noninsulin-using diabetes if prescribed
21 by a health care professional legally authorized to prescribe
22 such items under law. The benefits specified in this section may
23 be provided through a combination of policies, contracts,
24 certificates or riders, including major medical contracts.

25 (b) This section does not include the following policies:
26 accident only, fixed indemnity, limited benefit, credit, dental,
27 vision, specified disease, Medicare supplement, CHAMPUS
28 (Civilian Health and Medical Program for the Uniform Services)
29 supplement, long-term care, disability income, workers'
30 compensation or automobile medical payment.

1 (c) Equipment and supplies shall include the following:
2 blood glucose monitors, monitor supplies, insulin, injection
3 aids, syringes, insulin infusion devices, pharmacological agents
4 for controlling blood sugar and orthodontics.

5 (d) Diabetes outpatient self-management training and
6 education shall be provided under the supervision of a licensed
7 health care professional with expertise in diabetes to ensure
8 that persons with diabetes are educated as to the proper self-
9 management and treatment of their diabetes, including
10 information on proper diets. Coverage for self-management
11 education and education relating to diet and prescribed by a
12 licensed physician shall include:

13 (1) visits medically necessary upon the diagnosis of
14 diabetes;

15 (2) visits under circumstances whereby a physician
16 identifies or diagnoses a significant change in the patient's
17 symptoms or conditions that necessitates changes in a patient's
18 self-management; and

19 (3) where a new medication or therapeutic process relating
20 to the person's treatment and/or management of diabetes has been
21 identified as medically necessary by a licensed physician.

22 (e) The coverage required under this section shall be
23 subject to the annual deductibles or coinsurance requirements
24 imposed by an entity subject to this act SECTION for similar
25 coverages under the same health insurance policy or contract.

26 Section 2. This act shall take effect in 120 days.

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