

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 AND PHILLIPS, FEBRUARY 28, 1997

AS REPORTED FROM COMMITTEE ON INSURANCE, HOUSE OF
REPRESENTATIVES, AS AMENDED, SEPTEMBER 29, 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:

15 Section 1. The act of May 17, 1921 (P.L.682, No.284), known

1 as The Insurance Company Law of 1921, is amended by adding a
2 section to read:

3 ~~Section 633. Reimbursement for Diabetic Supplies. Any~~ <—
4 ~~individual or group health, sickness or accident insurance~~
5 ~~policy or subscriber contract or certificate issued by any~~
6 ~~entity subject to 40 Pa.C.S. Ch. 61 (relating to hospital plan~~
7 ~~corporations) or 63 (relating to professional health services~~
8 ~~plan corporations) or this act, providing hospital or~~
9 ~~medical/surgical coverage, shall include within their coverage~~
10 ~~insulin, syringes, other diabetic supplies and outpatient~~
11 ~~diabetes self management training and education.~~

12 SECTION 633. REIMBURSEMENT FOR DIABETIC SUPPLIES.--(A) <—
13 EXCEPT TO THE EXTENT ALREADY COVERED UNDER ANOTHER POLICY, ANY
14 INDIVIDUAL OR GROUP HEALTH, SICKNESS AND ACCIDENT INSURANCE
15 POLICY, GROUP HEALTH INSURANCE PLANS/POLICIES, AND ALL OTHER
16 FORMS OF MANAGED/CAPITATED CARE PLANS/POLICIES OR SUBSCRIBER
17 CONTRACT OR CERTIFICATE ISSUED BY ANY ENTITY SUBJECT TO 40
18 PA.C.S. CH. 61 (RELATING TO HOSPITAL PLAN CORPORATIONS) OR 63
19 (RELATING TO PROFESSIONAL HEALTH SERVICES PLAN CORPORATIONS) OR
20 THE ACT OF DECEMBER 29, 1972 (P.L.1701, NO.364), KNOWN AS THE
21 "HEALTH MAINTENANCE ORGANIZATION ACT," THE ACT OF DECEMBER 14,
22 1992 (P.L.835, NO.134), KNOWN AS THE "FRATERNAL BENEFIT
23 SOCIETIES CODE," OR THIS ACT, PROVIDING HOSPITAL OR
24 MEDICAL/SURGICAL COVERAGE, SHALL PROVIDE COVERAGE OF THE
25 EQUIPMENT, SUPPLIES AND OUTPATIENT SELF-MANAGEMENT TRAINING AND
26 EDUCATION, INCLUDING MEDICAL NUTRITION THERAPY FOR THE TREATMENT
27 OF INSULIN-DEPENDENT DIABETES, INSULIN-USING DIABETES,
28 GESTATIONAL DIABETES AND NONINSULIN-USING DIABETES IF PRESCRIBED
29 BY A HEALTH CARE PROFESSIONAL LEGALLY AUTHORIZED TO PRESCRIBE
30 SUCH ITEMS UNDER LAW. THE BENEFITS SPECIFIED IN THIS SECTION MAY

BE PROVIDED THROUGH A COMBINATION OF POLICIES, CONTRACTS,
CERTIFICATES OR RIDERS, INCLUDING MAJOR MEDICAL CONTRACTS.

(B) THIS SECTION DOES NOT INCLUDE THE FOLLOWING POLICIES:
ACCIDENT ONLY, FIXED INDEMNITY, LIMITED BENEFIT, CREDIT, DENTAL,
VISION, SPECIFIED DISEASE, MEDICARE SUPPLEMENT, CHAMPUS
(CIVILIAN HEALTH AND MEDICAL PROGRAM FOR THE UNIFORM SERVICES)
SUPPLEMENT, LONG-TERM CARE, DISABILITY INCOME, WORKERS'
COMPENSATION OR AUTOMOBILE MEDICAL PAYMENT.

(C) EQUIPMENT AND SUPPLIES SHALL INCLUDE THE FOLLOWING:
BLOOD GLUCOSE MONITORS, MONITOR SUPPLIES, INSULIN, INJECTION
AIDS, SYRINGES, INSULIN INFUSION DEVICES, PHARMACOLOGICAL AGENTS
FOR CONTROLLING BLOOD SUGAR AND ORTHODICS.

(D) DIABETES OUTPATIENT SELF-MANAGEMENT TRAINING AND
EDUCATION SHALL BE PROVIDED UNDER THE SUPERVISION OF A LICENSED
HEALTH CARE PROFESSIONAL WITH EXPERTISE IN DIABETES TO ENSURE
THAT PERSONS WITH DIABETES ARE EDUCATED AS TO THE PROPER SELF-
MANAGEMENT AND TREATMENT OF THEIR DIABETES, INCLUDING
INFORMATION ON PROPER DIETS. COVERAGE FOR SELF-MANAGEMENT
EDUCATION AND EDUCATION RELATING TO DIET AND PRESCRIBED BY A
LICENSED PHYSICIAN SHALL INCLUDE:

(1) VISITS MEDICALLY NECESSARY UPON THE DIAGNOSIS OF
DIABETES;

(2) VISITS UNDER CIRCUMSTANCES WHEREBY A PHYSICIAN
IDENTIFIES OR DIAGNOSES A SIGNIFICANT CHANGE IN THE PATIENT'S
SYMPTOMS OR CONDITIONS THAT NECESSITATES CHANGES IN A PATIENT'S
SELF-MANAGEMENT; AND

(3) WHERE A NEW MEDICATION OR THERAPEUTIC PROCESS RELATING
TO THE PERSON'S TREATMENT AND/OR MANAGEMENT OF DIABETES HAS BEEN
IDENTIFIED AS MEDICALLY NECESSARY BY A LICENSED PHYSICIAN.

(E) THE COVERAGE REQUIRED UNDER THIS SECTION SHALL BE

1 SUBJECT TO THE ANNUAL DEDUCTIBLES OR COINSURANCE REQUIREMENTS
2 IMPOSED BY AN ENTITY SUBJECT TO THIS ACT FOR SIMILAR COVERAGES
3 UNDER THE SAME HEALTH INSURANCE POLICY OR CONTRACT.

4 Section 2. This act shall take effect in ~~60~~ 120 days.

<—