

**DIABETES TREATMENT AND MANAGEMENT -
MANAGED CARE**

2000 GENERAL SESSION

STATE OF UTAH

Sponsor: Howard C. Nielson

AN ACT RELATING TO INSURANCE; REQUIRING THE COMMISSIONER TO ESTABLISH
MINIMUM STANDARDS OF COVERAGE FOR DIABETES; **h** **REQUIRING A REPORT;**
PROVIDING A REPEAL DATE; h AND PROVIDING AN
EFFECTIVE DATE.

This act affects sections of Utah Code Annotated 1953 as follows:

h AMENDS:

63-55b-131, as renumbered and amended by Chapter 21, Laws of Utah 1999 h

ENACTS:

31A-22-625, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **31A-22-625** is enacted to read:

31A-22-625. Coverage of diabetes.

(1) As used in this section, "diabetes" includes individuals with:

(a) complete insulin deficiency or type 1 diabetes;

(b) insulin resistant with partial insulin deficiency or type 2 diabetes; and

(c) elevated blood glucose levels induced by pregnancy or gestational diabetes.

(2) The commissioner shall establish, by rule, minimum standards of coverage for diabetes
for disability insurance policies that provide a health insurance benefit before July 1, 2000.

(3) In making rules under Subsection (2), the commissioner shall require rules:

(a) with durational limits, amount limits, deductibles, and coinsurance for the treatment
of diabetes equitable or identical to coverage provided for the treatment of other illnesses or
diseases;

§ [(b) that ensure an adequate formulary of new or improved equipment, appliances, supplies,
insulin, or prescription drugs for the treatment of diabetes approved by the federal Food and Drug
Administration as of July 1, 2000;] § and

28 § ~~(c)~~ (b) § that provide coverage for:

29 (i) diabetes self-management training and patient management, including medical nutrition

30 therapy as defined by rule, provided by ~~h [a nationally accredited program]~~ **AN ACCREDITED OR**

30a **CERTIFIED PROGRAM AND REFERRED BY AN ATTENDING PHYSICIAN WITHIN THE PLAN AND**

30b **CONSISTENT WITH THE HEALTH PLAN PROVISIONS FOR SELF-MANAGEMENT EDUCATION** ~~h~~ :

31 (A) recognized by the federal Health Care Financing Agency; or

32 (B) certified by the Department of Health; and

33 (ii) the following equipment, supplies, and appliances to treat diabetes when medically

34 necessary:

35 (A) blood glucose monitors, including those for the legally blind;

36 (B) test strips for blood glucose monitors;

37 (C) visual reading urine and ketone strips;

38 (D) lancets and lancet devices;

39 (E) insulin;

40 (F) injection aides, including those adaptable to meet the needs of the legally blind, and

41 infusion delivery systems;

42 (G) syringes;

43 (H) prescriptive oral agents for controlling blood ~~h [sugar]~~ **GLUCOSE** ~~h~~ levels; **§ AND §**

44 (I) glucagon kits **§ [; and**

45 ~~— (J) podiatric appliances prescribed by a person licensed under Title 58, Occupations and~~

46 ~~Professions, with the authority to do so] § .~~

46a ~~h~~ **(4) (a) BEFORE OCTOBER 1, 2003 THE COMMISSIONER SHALL REPORT TO THE HEALTH**

46b **AND HUMAN SERVICES INTERIM COMMITTEE ON THE EFFECTS OF SECTION 31A-22-625. THE**

46c **REPORT SHALL BE BASED ON THREE YEARS OF DATA AND SHALL INCLUDE, TO THE EXTENT**

46d **POSSIBLE:**

46e **(i) A REVIEW OF THE RULES ESTABLISHED UNDER SUBSECTION (3);**

46f **(ii) THE CHANGE IN AVAILABILITY OF COVERAGE RESULTING FROM THIS SECTION;**

46g **(iii) THE EXTENT TO WHICH PERSONS HAVE BEEN BENEFITTED BY THE PROVISIONS OF**

46h **THIS SECTION; AND**

46i **(iv) THE IMPACT OF THIS SECTION ON PREMIUMS.**

46j **(b) THE LEGISLATURE SHALL CONSIDER THE RESULTS OF THE REPORT UNDER**

46k **SUBSECTION (4)(a) WHEN DETERMINING WHETHER TO REAUTHORIZE THE PROVISIONS OF THIS**

46l **SECTION.** ~~h~~

46m ^h Section 2. Section 63-55b-131 is amended to read:
46n 63-55b-131. Repeal dates -- Title 31A.
46o (1) SECTION 31A-22-625 IS REPEALED JULY 1, 2004.
46p (2) Section 31A-23-315 is repealed July 1, 2001. ^h
47 Section ^h [~~2.~~] 3. ^h Effective date.
48 This act takes effect on July 1, 2000.

Legislative Review Note
as of 1-11-00 1:35 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel