

SENATE BILL 163

C3

2lr0679

By: **Senators Conway and Pugh**

Introduced and read first time: January 19, 2012

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance – Diabetes Treatment – Coverage for Orthotics**

3 FOR the purpose of requiring certain health insurers, nonprofit health service plans,
4 and health maintenance organizations that provide certain coverage for certain
5 equipment, supplies, and training that are necessary for the treatment of
6 diabetes and certain elevated blood glucose levels to provide coverage for
7 orthotics for the management of diabetic feet under certain circumstances;
8 providing for the application of this Act; and generally relating to health
9 insurance coverage for the treatment of diabetes.

10 BY repealing and reenacting, with amendments,

11 Article – Insurance

12 Section 15–822

13 Annotated Code of Maryland

14 (2011 Replacement Volume)

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

17 **Article – Insurance**

18 15–822.

19 (a) This section applies to:

20 (1) insurers and nonprofit health service plans that provide hospital,
21 medical, or surgical benefits to individuals or groups on an expense-incurred basis
22 under health insurance policies that are issued or delivered in the State; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) health maintenance organizations that provide hospital, medical,
2 or surgical benefits to individuals or groups under contracts that are issued or
3 delivered in the State.

4 (b) An entity subject to this section shall provide coverage for all medically
5 appropriate and necessary diabetes equipment, diabetes supplies, and diabetes
6 outpatient self-management training and educational services, including medical
7 nutrition therapy, that the insured's or enrollee's treating physician or other
8 appropriately licensed health care provider, or a physician who specializes in the
9 treatment of diabetes, certifies are necessary for the treatment of:

10 (1) insulin-using diabetes;

11 (2) noninsulin-using diabetes; or

12 (3) elevated blood glucose levels induced by pregnancy.

13 (c) If certified as necessary under subsection (b) of this section, the diabetes
14 outpatient self-management training and educational services, including medical
15 nutrition therapy, to be provided to the insured or enrollee shall be provided through a
16 program supervised by an appropriately licensed, registered, or certified health care
17 provider whose scope of practice includes diabetes education or management.

18 **(D) IF CERTIFIED AS NECESSARY UNDER SUBSECTION (B) OF THIS**
19 **SECTION, AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE COVERAGE**
20 **FOR ORTHOTICS FOR THE MANAGEMENT OF DIABETIC FEET.**

21 **[(d)] (E)** (1) Subject to paragraph (2) of this subsection, the coverage
22 required under this section may be subject to the annual deductibles or coinsurance
23 requirements imposed by an entity subject to this section for similar coverages under
24 the same health insurance policy or contract.

25 (2) The annual deductibles or coinsurance requirements imposed
26 under paragraph (1) of this subsection for the coverage required under this section
27 may not be greater than the annual deductibles or coinsurance requirements imposed
28 by the entity for similar coverages.

29 **[(e)] (F)** An entity subject to this section may not reduce or eliminate
30 coverages in its health insurance policies or contracts due to the requirements of this
31 section.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all
33 policies, contracts, and health benefit plans issued, delivered, or renewed in the State
34 on or after October 1, 2012.

35 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
36 October 1, 2012.