



Sen. William R. Haine

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LRB097 08144 RPM 55572 a

1 AMENDMENT TO HOUSE BILL 2249

2 AMENDMENT NO. _____. Amend House Bill 2249 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Insurance Code is amended by
5 changing Section 356w as follows:

6 (215 ILCS 5/356w)

7 Sec. 356w. Diabetes self-management training and
8 education.

9 (a) A group policy of accident and health insurance that is
10 amended, delivered, issued, or renewed after the effective date
11 of this amendatory Act of 1998 shall provide coverage for
12 outpatient self-management training and education, equipment,
13 and supplies, as set forth in this Section, for the treatment
14 of type 1 diabetes, type 2 diabetes, and gestational diabetes
15 mellitus.

16 (b) As used in this Section:

1 "Diabetes self-management training" means instruction in
2 an outpatient setting which enables a diabetic patient to
3 understand the diabetic management process and daily
4 management of diabetic therapy as a means of avoiding frequent
5 hospitalization and complications. Diabetes self-management
6 training shall include the content areas listed in the National
7 Standards for Diabetes Self-Management Education Programs as
8 published by the American Diabetes Association, including
9 medical nutrition therapy and education programs, as defined by
10 the contract of insurance, that allow the patient to maintain
11 an A1c level within the range identified in nationally
12 recognized standards of care.

13 "Medical nutrition therapy" shall have the meaning
14 ascribed to "medical nutrition care" in the Dietetic and
15 Nutrition Services Practice Act.

16 "Physician" means a physician licensed to practice
17 medicine in all of its branches providing care to the
18 individual.

19 "Qualified provider" for an individual that is enrolled in:

20 (1) a health maintenance organization that uses a
21 primary care physician to control access to specialty care
22 means (A) the individual's primary care physician licensed
23 to practice medicine in all of its branches, (B) a
24 physician licensed to practice medicine in all of its
25 branches to whom the individual has been referred by the
26 primary care physician, or (C) a certified, registered, or

1 licensed network health care professional with expertise
2 in diabetes management to whom the individual has been
3 referred by the primary care physician.

4 (2) an insurance plan means (A) a physician licensed to
5 practice medicine in all of its branches or (B) a
6 certified, registered, or licensed health care
7 professional with expertise in diabetes management to whom
8 the individual has been referred by a physician.

9 (c) Coverage under this Section for diabetes
10 self-management training, including medical nutrition
11 education, shall be limited to the following:

12 (1) Up to 3 medically necessary visits to a qualified
13 provider upon initial diagnosis of diabetes by the
14 patient's physician or, if diagnosis of diabetes was made
15 within one year prior to the effective date of this
16 amendatory Act of 1998 where the insured was a covered
17 individual, up to 3 medically necessary visits to a
18 qualified provider within one year after that effective
19 date.

20 (2) Up to 2 medically necessary visits to a qualified
21 provider upon a determination by a patient's physician that
22 a significant change in the patient's symptoms or medical
23 condition has occurred. A "significant change" in
24 condition means symptomatic hyperglycemia (greater than
25 250 mg/dl on repeated occasions), severe hypoglycemia
26 (requiring the assistance of another person), onset or

1 progression of diabetes, or a significant change in medical
2 condition that would require a significantly different
3 treatment regimen.

4 Payment by the insurer or health maintenance organization
5 for the coverage required for diabetes self-management
6 training pursuant to the provisions of this Section is only
7 required to be made for services provided. No coverage is
8 required for additional visits beyond those specified in items
9 (1) and (2) of this subsection.

10 Coverage under this subsection (c) for diabetes
11 self-management training shall be subject to the same
12 deductible, co-payment, and co-insurance provisions that apply
13 to coverage under the policy for other services provided by the
14 same type of provider.

15 (d) Coverage shall be provided for the following equipment
16 when medically necessary and prescribed by a physician licensed
17 to practice medicine in all of its branches. Coverage for the
18 following items shall be subject to deductible, co-payment and
19 co-insurance provisions provided for under the policy or a
20 durable medical equipment rider to the policy:

- 21 (1) blood glucose monitors;
- 22 (2) blood glucose monitors for the legally blind;
- 23 (3) cartridges for the legally blind; and
- 24 (4) lancets and lancing devices.

25 This subsection does not apply to a group policy of
26 accident and health insurance that does not provide a durable

1 medical equipment benefit.

2 (e) Coverage shall be provided for the following
3 pharmaceuticals and supplies when medically necessary and
4 prescribed by a physician licensed to practice medicine in all
5 of its branches. Coverage for the following items shall be
6 subject to the same coverage, deductible, co-payment, and
7 co-insurance provisions under the policy or a drug rider to the
8 policy:

9 (1) insulin;

10 (2) syringes and needles;

11 (3) test strips for glucose monitors;

12 (4) FDA approved oral agents used to control blood
13 sugar; and

14 (5) glucagon emergency kits.

15 This subsection does not apply to a group policy of
16 accident and health insurance that does not provide a drug
17 benefit.

18 (f) Coverage shall be provided for regular foot care exams
19 by a physician or by a physician to whom a physician has
20 referred the patient. Coverage for regular foot care exams
21 shall be subject to the same deductible, co-payment, and
22 co-insurance provisions that apply under the policy for other
23 services provided by the same type of provider.

24 (g) If authorized by a physician, diabetes self-management
25 training may be provided as a part of an office visit, group
26 setting, or home visit.

1 (h) This Section shall not apply to agreements, contracts,
2 or policies that provide coverage for a specified diagnosis or
3 other limited benefit coverage.

4 (Source: P.A. 90-741, eff. 1-1-99.)".