

1/30/99 Do Pass

REPRINTED

COMMERCE

FILED JAN 12 1999

SENATE FILE

8

BY JENSEN

(COMPANION TO LSB 1161HH BY BRAUNS)

Passed Senate, Date ^(p. 450) 3/2/99 Passed House, Date 4/14/99 ^(p. 1287)
 Vote: Ayes 45 Nays 4 Vote: Ayes 94 Nays 2
 Approved April 28, 1999

A BILL FOR

1 An Act relating to coverage under a policy or contract providing
 2 for third-party payment or prepayment of health or medical
 3 expenses by providing coverage for costs associated with
 4 equipment, supplies, and education for the treatment of
 5 diabetes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

7

SENATE FILE 8

S-3032

1 Amend the amendment, S-3022, to Senate File 8 as
2 follows:

3 1. Page 2, line 35, by inserting after the word
 4 "care," the following: "basic hospital coverage,
 5 medical and surgical coverage,".

By O. GENE MADDOX

S-3032 FILED MARCH 2, 1999
ADOPTED

17
18
19
20
21
22

TLSB 1161SS 78
mj/cf/24

SE 8

COMMERCE

1 Section 1. NEW SECTION. 514C.14 DIABETES COVERAGE.

2 1. a. Notwithstanding the uniformity of treatment
3 requirements of section 514C.6, a policy or contract providing
4 for third-party payment or prepayment of health or medical
5 expenses shall provide coverage benefits for the cost
6 associated with equipment, supplies, and self-management
7 training and education for the treatment of all types of
8 diabetes mellitus, impaired glucose tolerance, and impaired
9 fasting glucose when prescribed by a licensed health care
10 provider authorized to prescribe such items. Such items shall
11 include all of the following:

12 (1) Equipment and supplies necessary for home monitoring
13 including blood glucose meter, glucose strips, finger sticking
14 devices, lancets, and urine testing strips.

15 (2) Medications to control blood sugar levels including
16 insulin and oral agents.

17 (3) Equipment and supplies necessary for insulin
18 administration including syringes, infusion set, and insulin
19 pens.

20 (4) Assistive devices for the visually impaired including
21 voice modulated blood glucose meters and injection aids.

22 (5) Podiatric appliances for prevention of complications
23 associated with diabetes.

24 (6) Podiatric health care provider services as are deemed
25 medically necessary to prevent complications from diabetes.

26 (7) Diabetes self-management training, including medically
27 necessary inpatient or outpatient instruction and training
28 under the direction of a physician licensed under chapter 148
29 or 150A, licensed physician assistant, or a licensed nurse
30 practitioner which enables a diabetic patient to understand
31 the diabetic management process and daily management of
32 diabetic therapy.

33 (8) Diabetes outpatient self-management training and
34 education provided by a health professional certified by the
35 national certification board for diabetes educators or a

1 licensed dietitian, nurse, pharmacist, or other licensed
2 health professional who may provide training and education
3 under a program which meets the standards of diabetes self-
4 management education as established by the American diabetes
5 association or the Iowa department of public health.

6 b. The coverage requirement of paragraph "a" shall only
7 apply to diabetes outpatient self-management training and
8 education provided by a licensed health care provider with
9 expertise in treating diabetes.

10 2. This section applies to the following classes of third-
11 party payment provider contracts or policies delivered, issued
12 for delivery, continued, or renewed in this state on or after
13 July 1, 1999:

14 a. Individual or group accident and sickness insurance
15 providing coverage on an expense-incurred basis.

16 b. An individual or group hospital or medical service
17 contract issued pursuant to chapter 509, 514, or 514A.

18 c. An individual or group health maintenance organization
19 contract regulated under chapter 514B.

20 d. Any other entity engaged in the business of insurance,
21 risk transfer, or risk retention, which is subject to the
22 jurisdiction of the commissioner.

23 e. A plan established pursuant to chapter 509A for public
24 employees.

25 f. An organized delivery system licensed by the director
26 of public health.

27

EXPLANATION

28 This bill creates new Code section 514C.14 and requires
29 that a policy or contract providing for third-party payment or
30 prepayment of health or medical expenses provide coverage for
31 costs associated with certain equipment, supplies, and self-
32 management training and education for the treatment of
33 diabetes mellitus, impaired glucose tolerance, and impaired
34 fasting glucose, if such items are prescribed by a licensed
35 health care provider who is authorized to prescribe such

- 1 items.
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35

S-3022

1 Amend Senate File 8 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. NEW SECTION. 514C.14 DIABETES
5 COVERAGE.

6 1. Notwithstanding the uniformity of treatment
7 requirements of section 514C.6, a policy or contract
8 providing for third-party payment or prepayment of
9 health or medical expenses shall provide coverage
10 benefits for the cost associated with equipment,
11 supplies, and self-management training and education
12 for the treatment of all types of diabetes mellitus
13 when prescribed by a physician licensed under chapter
14 148, 150, or 150A. Coverage benefits shall include
15 coverage for the cost associated with all of the
16 following:

17 a. Blood glucose meter and glucose strips for home
18 monitoring.

19 b. Payment for diabetes self-management training
20 and education only under all of the following
21 conditions:

22 (1) The physician managing the individual's
23 diabetic condition certifies that such services are
24 needed under a comprehensive plan of care related to
25 the individual's diabetic condition to ensure therapy
26 compliance or to provide the individual with necessary
27 skills and knowledge to participate in the management
28 of the individual's condition.

29 (2) The diabetic self-management training and
30 education program is certified by the Iowa department
31 of public health. The department shall consult with
32 the American diabetes association, Iowa affiliate, in
33 developing the standards for certification of diabetes
34 education programs as follows:

35 (a) Initial training shall cover up to ten hours
36 of initial outpatient diabetes self-management
37 training within a continuous twelve-month period for
38 each individual that meets any of the following
39 conditions:

40 (i) A new onset of diabetes.

41 (ii) Poor glycemic control as evidenced by a
42 glycosylated hemoglobin of nine and five-tenths or
43 more in the ninety days before attending the training.

44 (iii) A change in treatment regimen from no
45 diabetes medications to any diabetes medication, or
46 from oral diabetes medication to insulin.

47 (iv) High risk for complications based on poor
48 glycemic control; documented acute episodes of severe
49 hypoglycemia or acute severe hyperglycemia occurring
50 in the past year during which the individual needed

S-3022

S-3022

Page 2

1 third-party assistance for either emergency room
2 visits or hospitalization.
3 (v) High risk based on documented complications of
4 a lack of feeling in the foot or other foot
5 complications such as foot ulcer or amputation, pre-
6 proliferative or proliferative retinopathy or prior
7 laser treatment of the eye, or kidney complications
8 related to diabetes, such as macroalbuminuria or
9 elevated creatinine.

10 (b) An individual who receives the initial
11 training shall be eligible for a single follow-up
12 training session of up to one hour each year.

13 2. a. This section applies to the following
14 classes of third-party payment provider contracts or
15 policies delivered, issued for delivery, continued, or
16 renewed in this state on or after July 1, 1999:

17 (1) Individual or group accident and sickness
18 insurance providing coverage on an expense-incurred
19 basis.

20 (2) An individual or group hospital or medical
21 service contract issued pursuant to chapter 509, 514,
22 or 514A.

23 (3) An individual or group health maintenance
24 organization contract regulated under chapter 514B.

25 (4) Any other entity engaged in the business of
26 insurance, risk transfer, or risk retention, which is
27 subject to the jurisdiction of the commissioner.

28 (5) A plan established pursuant to chapter 509A
29 for public employees.

30 (6) An organized delivery system licensed by the
31 director of public health.

32 b. This chapter shall not apply to accident only,
33 specified disease, short-term hospital or medical,
34 hospital confinement indemnity, credit, dental,
35 vision, Medicare supplement, long-term care,
36 disability income insurance coverage, coverage issued
37 as a supplement to liability insurance, workers'
38 compensation or similar insurance, or automobile
39 medical payment insurance.

40 Sec. 2. Section 509.3, subsection 6, Code 1999, is
41 amended by striking the subsection.

42 Sec. 3. Section 514.7, unnumbered paragraph 3,
43 Code 1999, is amended by striking the unnumbered
44 paragraph.

45 Sec. 4. Section 514B.1, subsection 5, paragraph c,
46 Code 1999, is amended by striking the paragraph."

By O. GENE MADDUX
JOHN W. JENSEN
PATRICK J. DELUHERY

S-3022 FILED FEBRUARY 25, 1999

3/2/99 Adopted
(p.450)

SENATE FILE 8
BY JENSEN

(COMPANION TO LSB 1161HH BY
BRAUNS)

(AS AMENDED AND PASSED BY THE SENATE MARCH 2, 1999)

ALL NEW LANGUAGE BY THE SENATE

Passed Senate, Date ^(P. 1216) 4/20/99 Passed House, Date 4/14/99 ^(P. 1287)
Vote: Ayes 46 Nays 3 Vote: Ayes 94 Nays 2
Approved April 28, 1999

A BILL FOR

1 An Act relating to coverage under a policy or contract providing
2 for third-party payment or prepayment of health or medical
3 expenses by providing coverage for costs associated with
4 equipment, supplies, and education for the treatment of
5 diabetes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20

S.F. 8

1 Section 1. NEW SECTION. 514C.14 DIABETES COVERAGE.

2 1. Notwithstanding the uniformity of treatment
3 requirements of section 514C.6, a policy or contract providing
4 for third-party payment or prepayment of health or medical
5 expenses shall provide coverage benefits for the cost
6 associated with equipment, supplies, and self-management
7 training and education for the treatment of all types of
8 diabetes mellitus when prescribed by a physician licensed
9 under chapter 148, 150, or 150A. Coverage benefits shall
10 include coverage for the cost associated with all of the
11 following:

12 a. Blood glucose meter and glucose strips for home
13 monitoring.

14 b. Payment for diabetes self-management training and
15 education only under all of the following conditions:

16 (1) The physician managing the individual's diabetic
17 condition certifies that such services are needed under a
18 comprehensive plan of care related to the individual's
19 diabetic condition to ensure therapy compliance or to provide
20 the individual with necessary skills and knowledge to
21 participate in the management of the individual's condition.

22 (2) The diabetic self-management training and education
23 program is certified by the Iowa department of public health.
24 The department shall consult with the American diabetes
25 association, Iowa affiliate, in developing the standards for
26 certification of diabetes education programs as follows:

27 (a) Initial training shall cover up to ten hours of
28 initial outpatient diabetes self-management training within a
29 continuous twelve-month period for each individual that meets
30 any of the following conditions:

31 (i) A new onset of diabetes.

32 (ii) Poor glycemic control as evidenced by a glycosylated
33 hemoglobin of nine and five-tenths or more in the ninety days
34 before attending the training.

35 (iii) A change in treatment regimen from no diabetes

1 medications to any diabetes medication, or from oral diabetes
2 medication to insulin.

3 (iv) High risk for complications based on poor glycemic
4 control; documented acute episodes of severe hypoglycemia or
5 acute severe hyperglycemia occurring in the past year during
6 which the individual needed third-party assistance for either
7 emergency room visits or hospitalization.

8 (v) High risk based on documented complications of a lack
9 of feeling in the foot or other foot complications such as
10 foot ulcer or amputation, pre-proliferative or proliferative
11 retinopathy or prior laser treatment of the eye, or kidney
12 complications related to diabetes, such as macroalbuminuria or
13 elevated creatinine.

14 (b) An individual who receives the initial training shall
15 be eligible for a single follow-up training session of up to
16 one hour each year.

17 2. a. This section applies to the following classes of
18 third-party payment provider contracts or policies delivered,
19 issued for delivery, continued, or renewed in this state on or
20 after July 1, 1999:

21 (1) Individual or group accident and sickness insurance
22 providing coverage on an expense-incurred basis.

23 (2) An individual or group hospital or medical service
24 contract issued pursuant to chapter 509, 514, or 514A.

25 (3) An individual or group health maintenance organization
26 contract regulated under chapter 514B.

27 (4) Any other entity engaged in the business of insurance,
28 risk transfer, or risk retention, which is subject to the
29 jurisdiction of the commissioner.

30 (5) A plan established pursuant to chapter 509A for public
31 employees.

32 (6) An organized delivery system licensed by the director
33 of public health.

34 b. This chapter shall not apply to accident only,
35 specified disease, short-term hospital or medical, hospital

1 confinement indemnity, credit, dental, vision, Medicare
2 supplement, long-term care, basic hospital coverage, medical
3 and surgical coverage, disability income insurance coverage,
4 coverage issued as a supplement to liability insurance,
5 workers' compensation or similar insurance, or automobile
6 medical payment insurance.

7 Sec. 2. Section 509.3, subsection 6, Code 1999, is amended
8 by striking the subsection.

9 Sec. 3. Section 514.7, unnumbered paragraph 3, Code 1999,
10 is amended by striking the unnumbered paragraph.

11 Sec. 4. Section 514B.1, subsection 5, paragraph c, Code
12 1999, is amended by striking the paragraph.

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

SENATE FILE 8

H-1165

1 Amend Senate File 8, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 3, by striking lines 2 and 3 and
4 inserting the following: "supplement, long-term care,
5 basic hospital and medical-surgical expense coverage
6 as defined by the commissioner, disability income
7 insurance coverage,".

By BRADLEY of Clinton

H-1165 FILED MARCH 23, 1999

o/p 4/14/99 (p.1287)

SENATE FILE 8

H-1305

1 Amend Senate File 8, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 3, by striking lines 2 and 3 and
4 inserting the following: "supplement, long-term care,
5 basic hospital and medical-surgical expense coverage
6 as defined by the commissioner, disability income
7 insurance coverage,".

By COMMITTEE ON COMMERCE
AND REGULATION
METCALF of Polk, Chairperson

H-1305 FILED MARCH 30, 1999

*adapted
4/14/99
(p.1286)*

HOUSE AMENDMENT TO
SENATE FILE 8

S-3379

1 Amend Senate File 8, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 3, by striking lines 2 and 3 and
4 inserting the following: "supplement, long-term care,
5 basic hospital and medical-surgical expense coverage
6 as defined by the commissioner, disability income
7 insurance coverage,".

RECEIVED FROM THE HOUSE

S-3379 FILED APRIL 14, 1999

Senate Concurred 4/20/99 (p.1216)

AN ACT

RELATING TO COVERAGE UNDER A POLICY OR CONTRACT PROVIDING FOR THIRD-PARTY PAYMENT OR PREPAYMENT OF HEALTH OR MEDICAL EXPENSES BY PROVIDING COVERAGE FOR COSTS ASSOCIATED WITH EQUIPMENT, SUPPLIES, AND EDUCATION FOR THE TREATMENT OF DIABETES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. 514C.14 DIABETES COVERAGE.

1. Notwithstanding the uniformity of treatment requirements of section 514C.6, a policy or contract providing for third-party payment or prepayment of health or medical expenses shall provide coverage benefits for the cost associated with equipment, supplies, and self-management training and education for the treatment of all types of diabetes mellitus when prescribed by a physician licensed under chapter 148, 150, or 150A. Coverage benefits shall include coverage for the cost associated with all of the following:

a. Blood glucose meter and glucose strips for home monitoring.

b. Payment for diabetes self-management training and education only under all of the following conditions:

(1) The physician managing the individual's diabetic condition certifies that such services are needed under a comprehensive plan of care related to the individual's diabetic condition to ensure therapy compliance or to provide the individual with necessary skills and knowledge to participate in the management of the individual's condition.

(2) The diabetic self-management training and education program is certified by the Iowa department of public health. The department shall consult with the American diabetes association, Iowa affiliate, in developing the standards for certification of diabetes education programs as follows:

(a) Initial training shall cover up to ten hours of initial outpatient diabetes self-management training within a continuous twelve-month period for each individual that meets any of the following conditions:

(i) A new onset of diabetes.

(ii) Poor glycemic control as evidenced by a glycosylated hemoglobin of nine and five-tenths or more in the ninety days before attending the training.

(iii) A change in treatment regimen from no diabetes medications to any diabetes medication, or from oral diabetes medication to insulin.

(iv) High risk for complications based on poor glycemic control; documented acute episodes of severe hypoglycemia or acute severe hyperglycemia occurring in the past year during which the individual needed third-party assistance for either emergency room visits or hospitalization.

(v) High risk based on documented complications of a lack of feeling in the foot or other foot complications such as foot ulcer or amputation, pre-proliferative or proliferative

retinopathy or prior laser treatment of the eye, or kidney complications related to diabetes, such as macroalbuminuria or elevated creatinine.

(b) An individual who receives the initial training shall be eligible for a single follow-up training session of up to one hour each year.

2. a. This section applies to the following classes of third-party payment provider contracts or policies delivered, issued for delivery, continued, or renewed in this state on or after July 1, 1999:

(1) Individual or group accident and sickness insurance providing coverage on an expense-incurred basis.

(2) An individual or group hospital or medical service contract issued pursuant to chapter 509, 514, or 514A.

(3) An individual or group health maintenance organization contract regulated under chapter 514B.

(4) Any other entity engaged in the business of insurance, risk transfer, or risk retention, which is subject to the jurisdiction of the commissioner.

(5) A plan established pursuant to chapter 509A for public employees.

(6) An organized delivery system licensed by the director of public health.

b. This chapter shall not apply to accident only, specified disease, short-term hospital or medical, hospital confinement indemnity, credit, dental, vision, Medicare supplement, long-term care, basic hospital and medical-surgical expense coverage as defined by the commissioner, disability income insurance coverage, coverage issued as a supplement to liability insurance, workers' compensation or similar insurance, or automobile medical payment insurance.

Sec. 2. Section 509.3, subsection 6, Code 1999, is amended by striking the subsection.

Sec. 3. Section 514.7, unnumbered paragraph 3, Code 1999, is amended by striking the unnumbered paragraph.

Sec. 4. Section 514B.1, subsection 5, paragraph c, Code 1999, is amended by striking the paragraph.

MARY E. KRAMER
President of the Senate

RON J. CORBETT
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 8, Seventy-eighth General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved April 28, 1999

THOMAS J. VILSACK
Governor