

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

363C0038

HOUSE BILL NO. 1121

Introduced by: Representatives Brooks, Crisp, Davis, Fischer-Clemens, Fitzgerald, Hagen, Haley, Hanson, Hunt, Koehn, Kooistra, Lockner, Lucas, McCoy, Michels, Monroe, Patterson, Peterson, Roe, Sutton (Daniel), Sutton (Duane), Waltman, and Wilson and Senators Brown (Arnold), Dunn (Rebecca), Everist, Kloucek, Lawler, Madden, Moore, Munson (David), Olson, Shoener, Valandra, and Vitter

1 FOR AN ACT ENTITLED, An Act to provide health insurance coverage for diabetes supplies,
2 equipment, and self-management training and education.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 58-17 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 Every policy of health insurance delivered, issued for delivery, or renewed in this state,
7 except for policies that provide coverage for specified disease or other limited benefit coverage,
8 shall provide, in writing, coverage for equipment, supplies, and self-management training and
9 education, including medical nutrition therapy, for treatment of persons diagnosed with diabetes
10 if prescribed by a physician or other licensed health care provider legally authorized to prescribe
11 such treatment.

12 Coverage for equipment and supplies shall include blood glucose monitors, blood glucose
13 monitors for the legally blind, test strips for glucose monitors, urine testing strips, insulin,
14 injection aids, lancets, lancet devices, syringes, insulin pumps and all supplies for the pump,

1 insulin infusion devices, oral agents for controlling blood sugars, glucose agents, glucagon kits,
2 insulin measurement and administration aids for the visually impaired, and other medical devices
3 used for treatment of diabetes.

4 Diabetes self-management training and education shall be covered if: (a) the service is
5 provided by a physician, nurse, dietitian, pharmacist, or other licensed health care provider who
6 satisfies the current academic eligibility requirements of the National Certification Board for
7 Diabetic Educators and has completed a course in diabetes education and training or has been
8 certified as a diabetes educator; and (b) the training and education is based upon a diabetes
9 program recognized by the American Diabetes Association or a diabetes program with a
10 curriculum approved by the American Diabetes Association or the South Dakota Department
11 of Health.

12 The benefits provided in this section are subject to the same dollar limits, deductibles,
13 coinsurance, and other restrictions established for all other benefits covered in the policy.

14 Section 2. That § 58-17-99 be amended to read as follows:

15 58-17-99. The provisions of § 58-17-98 and section 1 of this Act do not apply to any plan,
16 policy, or contract that provides coverage only for:

- 17 (1) Specified disease;
- 18 (2) Hospital indemnity;
- 19 (3) Fixed indemnity;
- 20 (4) Accident-only;
- 21 (5) Credit;
- 22 (6) Dental;
- 23 (7) Vision;
- 24 (8) Prescription drug;
- 25 (9) Medicare supplement;

- 1 (10) Long-term care;
- 2 (11) Disability income insurance;
- 3 (12) Coverage issued as a supplement to liability insurance;
- 4 (13) Workers' compensation or similar insurance;
- 5 (14) Automobile medical payment insurance; or
- 6 (15) Individual health benefit plans of six-months duration or less that are not renewable.

7 Section 3. That chapter 58-18 be amended by adding thereto a NEW SECTION to read as
8 follows:

9 Every group health insurance policy delivered, issued for delivery or renewed in this state,
10 except for policies that provide coverage for special disease or other limited benefit coverage,
11 shall provide, in writing, coverage for equipment, supplies, and self-management training and
12 education, including medical nutrition therapy, for treatment of persons diagnosed with diabetes
13 if prescribed by a physician or other licensed health care provider legally authorized to prescribe
14 such treatment.

15 Coverage for equipment and supplies shall include blood glucose monitors, blood glucose
16 monitors for the legally blind, test strips for glucose monitors, urine testing strips, insulin,
17 injection aids, lancets, lancet devices, syringes, insulin pumps and all supplies for the pump,
18 insulin infusion devices, oral agents for controlling blood sugars, glucose agents, glucagon kits,
19 insulin measurement and administration aids for the visually impaired, and other medical devices
20 used for treatment of diabetes.

21 Diabetes self-management training and education shall be covered if: (a) the service is
22 provided by a physician, nurse, dietitian, pharmacist, or other licensed health care provider who
23 satisfies the current academic eligibility requirements of the National Certification Board for
24 Diabetic Educators and has completed a course in diabetes education and training or has been
25 certified as a diabetes educator; and (b) the training and education is based upon a diabetes

1 program recognized by the American Diabetes Association or a diabetes program with a
2 curriculum approved by the American Diabetes Association or the South Dakota Department
3 of Health.

4 The benefits provided in this section are subject to the same dollar limits, deductibles,
5 coinsurance, and other restrictions established for all other benefits covered in the policy.

6 Section 4. That § 58-18-81 be amended to read as follows:

7 58-18-81. The provisions of § 58-18-80 and section 3 of this Act do not apply to any plan,
8 policy, or contract that provides coverage only for:

- 9 (1) Specified disease;
- 10 (2) Hospital indemnity;
- 11 (3) Fixed indemnity;
- 12 (4) Accident-only;
- 13 (5) Credit;
- 14 (6) Dental;
- 15 (7) Vision;
- 16 (8) Prescription drug;
- 17 (9) Medicare supplement;
- 18 (10) Long-term care;
- 19 (11) Disability income insurance;
- 20 (12) Coverage issued as a supplement to liability insurance;
- 21 (13) Workers' compensation or similar insurance;
- 22 (14) Automobile medical payment insurance; or
- 23 (15) Individual health benefit plans of six-months duration or less that are not renewable.

24 Section 5. That chapter 58-18B be amended by adding thereto a NEW SECTION to read
25 as follows:

1 Every small employer health benefit plan delivered, issued for delivery, or renewed in this
2 state, except for policies that provide coverage for specified disease or other limited benefit
3 coverage, shall provide, in writing, coverage for equipment, supplies, and self-management
4 training and education, including medical nutrition therapy, for treatment of persons diagnosed
5 with diabetes if prescribed by a physician or other licensed health care provider legally authorized
6 to prescribe such treatment.

7 Coverage for equipment and supplies shall include blood glucose monitors, blood glucose
8 monitors for the legally blind, test strips for glucose monitors, urine testing strips, insulin,
9 injection aids, lancets, lancet devices, syringes, insulin pumps and all supplies for the pump,
10 insulin infusion devices, oral agents for controlling blood sugars, glucose agents, glucagon kits,
11 insulin measurement and administration aids for the visually impaired, and other medical devices
12 used for treatment of diabetes.

13 Diabetes self-management training and education shall be covered if: (a) the service is
14 provided by a physician, nurse, dietitian, pharmacist, or other licensed health care provider who
15 satisfies the current academic eligibility requirements of the National Certification Board for
16 Diabetic Educators and has completed a course in diabetes education and training or has been
17 certified as a diabetes educator; and (b) the training and education is based upon a diabetes
18 program recognized by the American Diabetes Association or a diabetes program with a
19 curriculum approved by the American Diabetes Association or the South Dakota Department
20 of Health.

21 The benefits provided in this section are subject to the same dollar limits, deductibles,
22 coinsurance, and other restrictions established for all other benefits covered in the plan.

23 Section 6. That § 58-18B-54 be amended to read as follows:

24 58-18B-54. The provisions of § 58-18B-53 and section 5 of this Act do not apply to any
25 plan, policy, or contract that provides coverage only for:

- 1 (1) Specified disease;
- 2 (2) Hospital indemnity;
- 3 (3) Fixed indemnity;
- 4 (4) Accident-only;
- 5 (5) Credit;
- 6 (6) Dental;
- 7 (7) Vision;
- 8 (8) Prescription drug;
- 9 (9) Medicare supplement;
- 10 (10) Long-term care;
- 11 (11) Disability income insurance;
- 12 (12) Coverage issued as a supplement to liability insurance;
- 13 (13) Workers' compensation or similar insurance;
- 14 (14) Automobile medical payment insurance; or
- 15 (15) Individual health benefit plans of six-months duration or less that are not renewable.

16 Section 7. That chapter 58-38 be amended by adding thereto a NEW SECTION to read as
17 follows:

18 Every service or indemnity-type contract issued by a nonprofit medical and surgical service
19 plan corporation delivered, issued for delivery, or renewed in this state, except for policies that
20 provide coverage for specified disease or other limited benefit coverage, shall provide, in writing,
21 coverage for equipment, supplies, and self-management training and education, including medical
22 nutrition therapy, for treatment of persons diagnosed with diabetes if prescribed by a physician
23 or other licensed health care provider legally authorized to prescribe such treatment.

24 Coverage for equipment and supplies shall include blood glucose monitors, blood glucose
25 monitors for the legally blind, test strips for glucose monitors, urine testing strips, insulin,

1 injection aids, lancets, lancet devices, syringes, insulin pumps and all supplies for the pump,
2 insulin infusion devices, oral agents for controlling blood sugars, glucose agents, glucagon kits,
3 insulin measurement and administration aids for the visually impaired, and other medical devices
4 used for treatment of diabetes.

5 Diabetes self-management training and education shall be covered if: (a) the service is
6 provided by a physician, nurse, dietitian, pharmacist, or other licensed health care provider who
7 satisfies the current academic eligibility requirements of the National Certification Board for
8 Diabetic Educators and has completed a course in diabetes education and training or has been
9 certified as a diabetes educator; and (b) the training and education is based upon a diabetes
10 program recognized by the American Diabetes Association or a diabetes program with a
11 curriculum approved by the American Diabetes Association or the South Dakota Department
12 of Health.

13 The benefits provided in this section are subject to the same dollar limits, deductibles,
14 coinsurance, and other restrictions established for all other benefits covered in the contract.

15 Section 8. That § 58-38-41 be amended to read as follows:

16 58-38-41. The provisions of § 58-38-40 and section 7 of this Act do not apply to any plan,
17 policy, or contract that provides coverage only for:

- 18 (1) Specified disease;
- 19 (2) Hospital indemnity;
- 20 (3) Fixed indemnity;
- 21 (4) Accident-only;
- 22 (5) Credit;
- 23 (6) Dental;
- 24 (7) Vision;
- 25 (8) Prescription drug;

- 1 (9) Medicare supplement;
- 2 (10) Long-term care;
- 3 (11) Disability income insurance;
- 4 (12) Coverage issued as a supplement to liability insurance;
- 5 (13) Workers' compensation or similar insurance;
- 6 (14) Automobile medical payment insurance; or
- 7 (15) Individual health benefit plans of six-months duration or less that are not renewable.

8 Section 9. That chapter 58-40 be amended by adding thereto a NEW SECTION to read as
9 follows:

10 Every service or indemnity-type contract issued by a nonprofit hospital service plan
11 corporation delivered, issued for delivery, or renewed in this state, except for policies that
12 provide coverage for specified disease or other limited benefit coverage, shall provide, in writing,
13 coverage for equipment, supplies, and self-management training and education, including medical
14 nutrition therapy, for treatment of persons diagnosed with diabetes if prescribed by a physician
15 or other licensed health care provider legally authorized to prescribe such treatment.

16 Coverage for equipment and supplies shall include blood glucose monitors, blood glucose
17 monitors for the legally blind, test strips for glucose monitors, urine testing strips, insulin,
18 injection aids, lancets, lancet devices, syringes, insulin pumps and all supplies for the pump,
19 insulin infusion devices, oral agents for controlling blood sugars, glucose agents, glucagon kits,
20 insulin measurement and administration aids for the visually impaired, and other medical devices
21 used for treatment of diabetes.

22 Diabetes self-management training and education shall be covered if: (a) the service is
23 provided by a physician, nurse, dietitian, pharmacist, or other licensed health care provider who
24 satisfies the current academic eligibility requirements of the National Certification Board for
25 Diabetic Educators and has completed a course in diabetes education and training or has been

1 certified as a diabetes educator; and (b) the training and education is based upon a diabetes
2 program recognized by the American Diabetes Association or a diabetes program with a
3 curriculum approved by the American Diabetes Association or the South Dakota Department
4 of Health.

5 The benefits provided in this section are subject to the same dollar limits, deductibles,
6 coinsurance, and other restrictions established for all other benefits covered in the contract.

7 Section 10. That § 58-40-38 be amended to read as follows:

8 58-40-38. The provisions of § 58-40-37 and section 9 of this Act do not apply to any plan,
9 policy, or contract that provides coverage only for:

- 10 (1) Specified disease;
- 11 (2) Hospital indemnity;
- 12 (3) Fixed indemnity;
- 13 (4) Accident-only;
- 14 (5) Credit;
- 15 (6) Dental;
- 16 (7) Vision;
- 17 (8) Prescription drug;
- 18 (9) Medicare supplement;
- 19 (10) Long-term care;
- 20 (11) Disability income insurance;
- 21 (12) Coverage issued as a supplement to liability insurance;
- 22 (13) Workers' compensation or similar insurance;
- 23 (14) Automobile medical payment insurance; or
- 24 (15) Individual health benefit plans of six-months duration or less that are not renewable.

25 Section 11. That chapter 58-41 be amended by adding thereto a NEW SECTION to read as

1 follows:

2 Every health maintenance contract delivered, issued for delivery, or renewed in this state,
3 except for policies that provide coverage for specified disease or other limited benefit coverage,
4 shall provide, in writing, coverage for equipment, supplies, and self-management training and
5 education, including medical nutrition therapy, for treatment of persons diagnosed with diabetes
6 if prescribed by a physician or other licensed health care provider legally authorized to prescribe
7 such treatment.

8 Coverage for equipment and supplies shall include blood glucose monitors, blood glucose
9 monitors for the legally blind, test strips for glucose monitors, urine testing strips, insulin,
10 injection aids, lancets, lancet devices, syringes, insulin pumps and all supplies for the pump,
11 insulin infusion devices, oral agents for controlling blood sugars, glucose agents, glucagon kits,
12 insulin measurement and administration aids for the visually impaired, and other medical devices
13 used for treatment of diabetes.

14 Diabetes self-management training and education shall be covered if: (a) the service is
15 provided by a physician, nurse, dietitian, pharmacist, or other licensed health care provider who
16 satisfies the current academic eligibility requirements of the National Certification Board for
17 Diabetic Educators and has completed a course in diabetes education and training or has been
18 certified as a diabetes educator; and (b) the training and education is based upon a diabetes
19 program recognized by the American Diabetes Association or a diabetes program with a
20 curriculum approved by the American Diabetes Association or the South Dakota Department
21 of Health.

22 The benefits provided in this section are subject to the same dollar limits, deductibles,
23 coinsurance, and other restrictions established for all other benefits covered in the contract.

24 Section 12. That § 58-41-116 be amended to read as follows:

25 58-41-116. The provisions of § 58-41-115 and section 11 of this Act do not apply to any

1 plan, policy, or contract that provides coverage only for:

2 (1) Specified disease;

3 (2) Hospital indemnity;

4 (3) Fixed indemnity;

5 (4) Accident-only;

6 (5) Credit;

7 (6) Dental;

8 (7) Vision;

9 (8) Prescription drug;

10 (9) Medicare supplement;

11 (10) Long-term care;

12 (11) Disability income insurance;

13 (12) Coverage issued as a supplement to liability insurance;

14 (13) Workers' compensation or similar insurance;

15 (14) Automobile medical payment insurance; or

16 (15) Individual health benefit plans of six-months duration or less that are not renewable.