

SB0054



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB0054

Introduced 1/20/2023, by Sen. Laura Fine

SYNOPSIS AS INTRODUCED:

215 ILCS 5/356w

Amends the Illinois Insurance Code. Provides that coverage for self-management training and education, equipment, and supplies for diabetes treatment shall include insulin pumps and medical supplies required for the use of an insulin pump when medically necessary and prescribed by a physician licensed to practice medicine in all of its branches.

LRB103 05341 BMS 50360 b

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

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
10 is amended, delivered, issued, or renewed after the effective
11 date 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:

17 "Diabetes self-management training" means instruction in
18 an outpatient setting which enables a diabetic patient to
19 understand the diabetic management process and daily
20 management of diabetic therapy as a means of avoiding frequent
21 hospitalization and complications. Diabetes self-management
22 training shall include the content areas listed in the
23 National Standards for Diabetes Self-Management Education

1 Programs as published by the American Diabetes Association,
2 including medical nutrition therapy and education programs, as
3 defined by the contract of insurance, that allow the patient
4 to maintain an A1c level within the range identified in
5 nationally recognized standards of care.

6 "Medical nutrition therapy" shall have the meaning
7 ascribed to that term in the Dietitian Nutritionist Practice
8 Act.

9 "Physician" means a physician licensed to practice
10 medicine in all of its branches providing care to the
11 individual.

12 "Qualified provider" for an individual that is enrolled
13 in:

14 (1) a health maintenance organization that uses a
15 primary care physician to control access to specialty care
16 means (A) the individual's primary care physician licensed
17 to practice medicine in all of its branches, (B) a
18 physician licensed to practice medicine in all of its
19 branches to whom the individual has been referred by the
20 primary care physician, or (C) a certified, registered, or
21 licensed network health care professional with expertise
22 in diabetes management to whom the individual has been
23 referred by the primary care physician.

24 (2) an insurance plan means (A) a physician licensed
25 to practice medicine in all of its branches or (B) a
26 certified, registered, or licensed health care

1 professional with expertise in diabetes management to whom
2 the individual has been referred by a physician.

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

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

14 (2) Up to 2 medically necessary visits to a qualified
15 provider upon a determination by a patient's physician
16 that a significant change in the patient's symptoms or
17 medical condition has occurred. A "significant change" in
18 condition means symptomatic hyperglycemia (greater than
19 250 mg/dl on repeated occasions), severe hypoglycemia
20 (requiring the assistance of another person), onset or
21 progression of diabetes, or a significant change in
22 medical condition that would require a significantly
23 different treatment regimen.

24 Payment by the insurer or health maintenance organization
25 for the coverage required for diabetes self-management
26 training pursuant to the provisions of this Section is only

1 required to be made for services provided. No coverage is
2 required for additional visits beyond those specified in items
3 (1) and (2) of this subsection.

4 Coverage under this subsection (c) for diabetes
5 self-management training shall be subject to the same
6 deductible, co-payment, and co-insurance provisions that apply
7 to coverage under the policy for other services provided by
8 the same type of provider.

9 (d) Coverage shall be provided for the following equipment
10 when medically necessary and prescribed by a physician
11 licensed to practice medicine in all of its branches. Coverage
12 for the following items shall be subject to deductible,
13 co-payment and co-insurance provisions provided for under the
14 policy or a durable medical equipment rider to the policy:

- 15 (1) blood glucose monitors;
16 (2) blood glucose monitors for the legally blind;
17 (3) cartridges for the legally blind; and
18 (4) lancets and lancing devices.

19 This subsection does not apply to a group policy of
20 accident and health insurance that does not provide a durable
21 medical equipment benefit.

22 (e) Coverage shall be provided for the following
23 pharmaceuticals and supplies when medically necessary and
24 prescribed by a physician licensed to practice medicine in all
25 of its branches. Coverage for the following items shall be
26 subject to the same coverage, deductible, co-payment, and

1 co-insurance provisions under the policy or a drug rider to
2 the policy, except as otherwise provided for under Section
3 356z.41:

4 (1) insulin;

5 (2) syringes and needles;

6 (3) test strips for glucose monitors;

7 (4) FDA approved oral agents used to control blood
8 sugar; ~~and~~

9 (5) glucagon emergency kits; and ~~-~~

10 (6) insulin pumps and medical supplies required for
11 the use of an insulin pump.

12 This subsection does not apply to a group policy of
13 accident and health insurance that does not provide a drug
14 benefit.

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

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

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

SB0054

- 6 -

LRB103 05341 BMS 50360 b

1 (Source: P.A. 101-625, eff. 1-1-21.)