

By: Senator(s) Kirby

To: Insurance

SENATE BILL NO. 2801

1 AN ACT TO AMEND SECTION 83-9-46, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE CERTAIN INDIVIDUAL AND GROUP HEALTH INSURANCE POLICIES AND
3 PLANS TO PROVIDE COVERAGE FOR DIABETES TREATMENTS AND MEDICATIONS;
4 AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 SECTION 1. Section 83-9-46, Mississippi Code of 1972, is
7 amended as follows:

8 83-9-46. (1) Except as otherwise provided herein, from and
9 after July 1, 2001, all individual and group health insurance
10 policies or plans, pooled risk policies and all other forms of
11 managed/capitated care plans or policies regulated by the State of
12 Mississippi shall provide coverage for diabetes treatments,
13 including * * * equipment, podiatric appliances for the prevention
14 of complications associated with diabetes, medications approved by
15 the federal Food and Drug Administration (FDA), supplies used in
16 connection with the monitoring of blood glucose and insulin
17 administration, including those for the visually impaired, and
18 self-management training/education and medical nutrition therapy
19 in an outpatient, inpatient or home health setting. * * * The
20 coverage shall include treatment of all forms of diabetes,
21 including, but not limited to, Type I, Type II, Gestational and
22 all secondary forms of diabetes regardless of mode of treatment if
23 such treatment is prescribed by a health care professional legally
24 authorized to prescribe such treatment and regardless of the age
25 of onset or duration of the disease. Such health insurance plans
26 and policies shall not reduce, eliminate or delay coverage due to
27 the requirements of this section.

28 (2) The services provided in an outpatient, inpatient or
29 home health setting shall be provided by a Certified Diabetes
30 Educator (CDE), who is appropriately certified, licensed or
31 registered to practice in the State of Mississippi. Medical
32 nutrition therapy shall be provided by a Registered Dietician (RD)
33 appropriately licensed to practice in the State of Mississippi.
34 All services shall be based on nationally recognized standards
35 including, but not limited to, the American Diabetes Association
36 Practice Guidelines.

37 (3) The benefits provided in this section shall be subject to
38 the same annual deductibles or coinsurance established for all
39 other covered benefits within a given policy.

40 (4) The Commissioner of Insurance shall enforce the
41 provisions of this section.

42 (5) Nothing in this section shall apply to accident-only,
43 specified disease, hospital indemnity, Medicare supplement,
44 long-term care or other limited benefit health insurance policies.

45 SECTION 2. This act shall take effect and be in force from
46 and after its passage.