

House Bill 1492

By: Representatives Parham of the 122<sup>nd</sup>, Murphy of the 18<sup>th</sup>, Birdsong of the 123<sup>rd</sup>, Parrish of the 144<sup>th</sup>, Porter of the 143<sup>rd</sup> and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 24 of Title 33 of the Official Code of Georgia Annotated,  
2 relating to general provisions relative to insurance generally, so as to change certain  
3 provisions relating to coverage for equipment and self-management training for individuals  
4 with diabetes and enforcement; to provide effective dates; to repeal conflicting laws; and for  
5 other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 1 of Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to  
9 general provisions relative to insurance generally, is amended by striking Code Section  
10 33-24-59.2, relating to coverage for equipment and self-management training for individuals  
11 with diabetes and enforcement, and inserting in lieu thereof the following:

12 "33-24-59.2.

13 (a) On or after July 1, ~~1998~~ 2002, every individual major medical and group health  
14 insurance policy, group health insurance plan or policy, and any other form of managed or  
15 capitated care plans or policies shall ~~offer~~ provide coverage for medically necessary  
16 equipment, supplies, pharmacologic agents, and outpatient self-management training and  
17 education, including medical nutrition therapy, for individuals with insulin-dependent  
18 diabetes, insulin-using diabetes, gestational diabetes, and noninsulin-using diabetes as  
19 prescribed by a physician licensed to practice medicine pursuant to Title 43.

20 (b)(1) Diabetes outpatient self-management training and education as provided for in  
21 subsection (a) of this Code section shall be provided by a certified, registered, or licensed  
22 health care professional with expertise in diabetes.

23 (2) The office of the Commissioner of Insurance shall promulgate rules and regulations  
24 after consultation with the Department of Human Resources which conform to the current  
25 standards for diabetes outpatient self-management training and educational services  
26 established by the American Diabetes Association for purposes of this Code section.

1 (3) The office of the Commissioner of Insurance shall promulgate rules and regulations  
 2 to become effective July 1, 2002, after consultation with the Department of Human  
 3 Resources and the consumers' insurance advocate in the Governor's Office of Consumer  
 4 Affairs, which conform to the current standards of diabetes care established by the  
 5 American Diabetes Association for purposes of this Code section. Such rules and  
 6 regulations shall be adopted in accordance with the provisions of Code Section 33-2-9.

7 (c) The benefits provided in this Code section shall ~~be subject to the same annual~~  
 8 ~~deductibles or coinsurance established for all other covered benefits within a given policy~~  
 9 not be subject to dollar limits, deductibles, or copayment provisions that are greater than  
 10 those for physical illness generally.

11 (d) Private third-party payors may not reduce or eliminate coverage due to the  
 12 requirements of this Code section.

13 (e) Enforcement of the provisions of this Code section shall be performed by the  
 14 Commissioner of Insurance."

## 15 SECTION 2.

16 (a) For purposes of promulgating rules and regulations, this Act shall become effective upon  
 17 its approval by the Governor or upon its becoming law without such approval.

18 (b) For all other purposes, this Act shall become effective on July 1, 2002.

## 19 SECTION 3.

20 All laws and parts of laws in conflict with this Act are repealed.