

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

445D0505

HOUSE BILL NO. 1085

Introduced by: Representatives Fischer-Clemens, Burg, Haley, and Roe and Senators Olson, Brown (Arnold), Hainje, and Symens

1 FOR AN ACT ENTITLED, An Act to clarify that certain group policies are required to provide
2 coverage for biologically-based mental illnesses and diabetes supplies, equipment, and
3 education.

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

5 Section 1. That § 58-18-80 be amended to read as follows:

6 58-18-80. Every group health insurance policy, including a certificate that is subject to
7 approval pursuant to § 58-11-12, that is delivered, issued for delivery, or renewed in this state,
8 except for policies that provide coverage for specified disease or other limited benefit coverage,
9 shall provide, in writing, coverage for the treatment and diagnosis of biologically-based mental
10 illnesses with the same dollar limits, deductibles, coinsurance factors, and restrictions as for other
11 covered illnesses.

12 The term, biologically-based mental illness, means schizophrenia and other psychotic
13 disorders, bipolar disorder, major depression, and obsessive-compulsive disorder.

14 Section 2. That § 58-18-83 be amended to read as follows:

15 58-18-83. Every group health insurance policy, including a certificate that is subject to
16 approval pursuant to § 58-11-12, delivered, issued for delivery, or renewed in this state, except

1 for policies that provide coverage for special disease or other limited benefit coverage, shall
2 provide, in writing, coverage for equipment, supplies, and self-management training and
3 education, including medical nutrition therapy, for treatment of persons diagnosed with diabetes
4 if prescribed by a physician or other licensed health care provider legally authorized to prescribe
5 such treatment. Medical nutrition therapy does not include any food items or nonprescription
6 drugs.

7 Coverage for medically necessary equipment and supplies shall include blood glucose
8 monitors, blood glucose monitors for the legally blind, test strips for glucose monitors, urine
9 testing strips, insulin, injection aids, lancets, lancet devices, syringes, insulin pumps and all
10 supplies for the pump, insulin infusion devices, prescribed oral agents for controlling blood
11 sugars, glucose agents, glucagon kits, insulin measurement and administration aids for the
12 visually impaired, and other medical devices 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 Coverage of diabetes self-management training is limited to (a) persons who are newly
22 diagnosed with diabetes or have received no prior diabetes education; (b) persons who require
23 a change in current therapy; (c) persons who have a co-morbid condition such as heart disease
24 or renal failure; or (d) persons whose diabetes condition is unstable. Under these circumstances,
25 no more than two comprehensive education programs per lifetime and up to eight follow-up

1 visits per year need be covered. Coverage is limited to the closest available qualified education
2 program that provides the necessary management training to accomplish the prescribed
3 treatment.

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.