

FIFTEENTH NORTHERN MARIANAS COMMONWEALTH LEGISLATURE

FIRST REGULAR SESSION, 2006

PUBLIC LAW NO. 15-125
SENATE BILL NO. 15-15

AN ACT

To require insurance coverage for individuals with diabetes in the Commonwealth; and for other purposes.

**BE IT ENACTED BY THE FIFTEENTH NORTHERN MARIANAS
COMMONWEALTH LEGISLATURE:**

1 Section 1. Short Title. This Act may be cited as the "Diabetes Health Maintenance
2 Act of 2006".

3 Section 2. Findings and Purpose. The legislature finds that a large number of
4 individuals in the Commonwealth suffer diabetic disease. In fact, latest data from the
5 Department of Public Health indicates that there were 243 diabetes-related deaths in the
6 CNMI between 1996 and 2000. The legislature further finds that, by ensuring accessibility
7 to necessary supplies and equipment, diabetes complications can be avoided and thereby
8 reducing health care costs. Moreover, since 1995, the American Diabetes Association has
9 led successful efforts in 30 states to pass legislation requiring state-regulated health
10 insurance plans to provide coverage for diabetes supplies and self-management education as
11 part of basic coverage (at no additional cost). The purpose of this legislation, therefore, is to
12 require planning and to impose, upon insurance providers, insurance coverage to individuals
13 who have been inflicted with the diabetes disease as well as coverage for supplies and
14 education.

15 Section 3. Definitions. For purposes of this Act:

16 (a) "basic health care benefits":

17 (1) means benefits for medically necessary services consisting of
18 preventive care, emergency care, inpatient and outpatient hospital and
19 physician care, diagnostic laboratory and diagnostic and therapeutic
20 radiological services; and

1 (2) does not include mental health services or services for alcohol or
2 drug abuse, dental or vision services, or long-term rehabilitation treatment.

3 (b) "managed health care plan" means a health benefits plan offered by a
4 health care insurer that provides for the delivery of comprehensive basic health care
5 services and medically necessary services to individuals enrolled in the plan through
6 its own employed health care providers. A managed health care plan includes only
7 those plans that provide comprehensive basic health care services to enrollees on a
8 prepaid, capitate basis, including the following:

- 9 (1) health maintenance organizations;
- 10 (2) preferred provider organizations;
- 11 (3) individual practice associations;
- 12 (4) competitive medical plans;
- 13 (5) exclusive provider organizations;
- 14 (6) integrated delivery systems;
- 15 (7) independent physician-provider organizations;
- 16 (8) physician hospital-provider organizations; and
- 17 (9) managed care services organizations."

18 Section 4. Coverage. Each individual and group health insurance policy, health care
19 plan, certification of health insurance and managed health care plan delivered or issued for
20 delivery in the Commonwealth of the Northern Mariana Islands shall provide coverage for
21 individuals with insulin-using diabetes and with elevated blood glucose levels induced by
22 pregnancy. This coverage shall be a basic health care benefit and shall entitle each
23 individual to the medically accepted standard of medical care for diabetes and benefits for
24 diabetes treatment as well as diabetes supplies, and this coverage shall not be reduced or
25 eliminated.

26 Section 5. Insurance Deductibles. Coverage for individuals with diabetes may be
27 subject to deductibles and coinsurance consistent with those imposed on other benefits under
28 the same policy, plan or certificate, as long as the annual deductibles or coinsurance for
29 benefits are no greater than the annual deductibles or coinsurance established for similar
30 benefits within a given policy.

31 Section 6. Equipment and Supplies. When prescribed or diagnosed by a health care
32 practitioner with prescribing authority, all individuals with diabetes as described in Section 4

1 enrolled in health policies described in that section shall be entitled to the following
2 equipment, supplies and appliances to treat diabetes:

- 3 (a) blood glucose monitors, including those for the legally blind;
- 4 (b) test strips for blood glucose monitors;
- 5 (c) visual reading urine and ketone strips;
- 6 (d) lancets and lancet devices;
- 7 (e) insulin;
- 8 (f) injection aides, including those adaptable to meet the needs of the legally
9 blind;
- 10 (g) syringes;
- 11 (h) prescriptive oral agents for controlling blood sugar levels;
- 12 (i) podiatric appliances for prevention of feet complications associated with
13 diabetes, including therapeutic molded or depth-inlay shoes, functional orthotics,
14 custom molded inserts, replacement inserts, preventive devices and shoe
15 modifications for prevention and treatment; and
- 16 (j) glycogen emergency kits.

17 Section 7. Benefits. When prescribed or diagnosed by an health care practitioner
18 with prescribing authority, all individuals with diabetes as described in Section 4 enrolled in
19 health policies described in that subsection shall be entitled to the following basic health
20 care benefits:

- 21 (a) diabetes self-management training that shall be provided by a certified,
22 registered or licensed health care professional with recent education in diabetes
23 management, which shall be limited to:
 - 24 (1) medically necessary visits upon the diagnosis of diabetes;
 - 25 (2) visits following a physician diagnosis that represents a significant
26 change in the patient's symptoms or condition that warrants changes in the
27 patient's self-management; and
 - 28 (3) visits when re-education or refresher training is prescribed by a
29 health care practitioner with prescribing authority; and
- 30 (b) medical nutrition therapy related to diabetes management.

31 Section 8. Upgraded Equipment and Supplies. Where upgraded and latest
32 equipment, appliances, prescription drugs for the treatment of diabetes, insulin or supplies

1 for the treatment of diabetes become available and approved by proper authorities, all
2 individual or group health insurance policies as describe in Section shall:

3 (a) maintain an adequate formulary to provide these resources to individuals
4 with diabetes; and

5 (b) guarantee reimbursement or coverage for the equipment, appliances,
6 prescription drug, insulin or supplies described in this subsection within the limits of
7 the health care plan, policy or certificate.

8 Section 9. Enforcement. The provisions of Sections 4 through 8 shall be enforced
9 by the Commissioner of Insurance established by 4 CMC § 7104.

10 Section 10. Limitations. The provisions of this Act shall not apply to short-term
11 travel, accident-only, or limited or specified disease policies.

12 Section 11. Severability. If any provision of this Act or the application of any such
13 provision to any person or circumstance should be held invalid by a court of competent
14 jurisdiction, the remainder of this Act or the application of its provisions to persons or
15 circumstances other than those to which it is held invalid shall not be affected thereby.

16 Section 12. Savings Clause. This Act and any repealer contained herein shall not be
17 construed as affecting any existing right acquired under contract or acquired under statutes
18 repealed or under any rule, regulation or order adopted under statutes. Repealers contained
19 in this Act shall not have the effect of terminating, or in any way modifying, any liability,
20 civil or criminal, which shall already be in existence at the date this Act becomes effective.

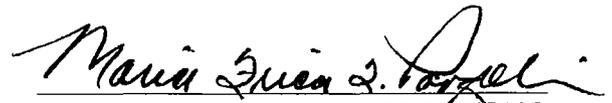
21 Section 13. Effective Date. This bill shall take effect upon its approval by the
22 Governor or upon its becoming law without such approval.

CERTIFIED BY:

ATTESTED BY:

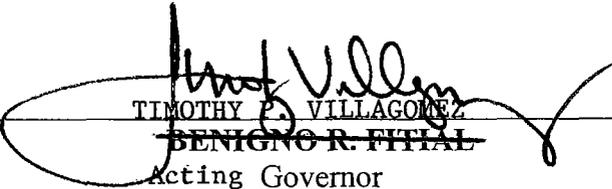


PETE P. REYES
Acting President of the Senate



MARIA FRISCA T. PANGELINAN
Senate Legislative Secretary

Approved this 16th day of January, 2007^B


TIMOTHY P. VILLAGOMEZ
~~BENIGNO R. FITIAL~~
Acting Governor
Commonwealth of the Northern Mariana Islands