

CHAPTER 119

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**INSURANCE**

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**HOUSE BILL 98-1309**

BY REPRESENTATIVES Gotlieb, Chavez, George, Gordon, Mace, Morrison, Tupa, and S. Williams;  
also SENATORS Chlouber, Feeley, Hernandez, J. Johnson, Linkhart, Martinez, Pascoe, Phillips, Reeves, Rupert, Tanner, and Thiebaut.

**AN ACT**

CONCERNING THE REQUIREMENT OF HEALTH INSURERS TO PROVIDE COVERAGE FOR THE TREATMENT OF DIABETES.

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** 10-16-102, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**10-16-102. Definitions.** As used in this article, unless the context otherwise requires:

(28.7) "PATIENT WITH DIABETES" MEANS A PERSON WITH ELEVATED BLOOD GLUCOSE LEVELS WHO HAS BEEN DIAGNOSED AS HAVING DIABETES BY AN APPROPRIATELY LICENSED HEALTH CARE PROFESSIONAL.

**SECTION 2.** 10-16-104, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**10-16-104. Mandatory coverage provisions.** (13) **Diabetes.** (a) ANY HEALTH BENEFIT PLAN, EXCEPT SUPPLEMENTAL POLICIES COVERING A SPECIFIED DISEASE OR OTHER LIMITED BENEFIT, THAT PROVIDES HOSPITAL, SURGICAL, OR MEDICAL EXPENSE INSURANCE SHALL PROVIDE COVERAGE FOR DIABETES THAT SHALL INCLUDE EQUIPMENT, SUPPLIES, AND OUTPATIENT SELF-MANAGEMENT TRAINING AND EDUCATION, INCLUDING MEDICAL NUTRITION THERAPY IF PRESCRIBED BY A HEALTH CARE PROVIDER LICENSED TO PRESCRIBE SUCH ITEMS PURSUANT TO COLORADO LAW, AND, IF COVERAGE IS PROVIDED THROUGH A MANAGED CARE PLAN, SUCH QUALIFIED PROVIDER SHALL BE A PARTICIPATING PROVIDER IN SUCH MANAGED CARE PLAN.

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

(b) DIABETES OUTPATIENT SELF-MANAGEMENT TRAINING AND EDUCATION WHEN PRESCRIBED SHALL BE PROVIDED BY A CERTIFIED, REGISTERED, OR LICENSED HEALTH CARE PROFESSIONAL WITH EXPERTISE IN DIABETES.

(c) THE BENEFITS PROVIDED IN THIS SUBSECTION (13) ARE SUBJECT TO THE SAME ANNUAL DEDUCTIBLES OR COPAYMENTS ESTABLISHED FOR ALL OTHER COVERED BENEFITS WITHIN A GIVEN POLICY.

(d) PRIVATE THIRD-PARTY PAYORS SHALL NOT REDUCE OR ELIMINATE COVERAGE DUE TO THE REQUIREMENTS OF THIS SUBSECTION (13).

**SECTION 3. Effective date - applicability.** This act shall take effect July 1, 1998, and shall apply to all individual and group health policies, plans, or contracts issued or renewed on or after said date.

**SECTION 4. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 13, 1998