

OFFICE OF COMMISSIONER OF INSURANCE

CHAPTER 120-2-88-0.11

STANDARDS OF DIABETES CARE—SELF-MANAGEMENT TRAINING AND EDUCATION

Section

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Section 120-2-88-0.11-.01 Authority. This Regulation Chapter is issued pursuant to the authority vested in the Commissioner of Insurance by O.C.G.A. Sections 33-2-9 and 33-24-59.2.

Authority---O.C.G.A. Sections 33-2-9 and 33-24-59.2.

Section 120-2-88-0.11-.02 Purpose. The purpose of this Regulation Chapter is to implement O.C.G.A. Section 33-24-59.2 regarding standards of diabetes care relative to outpatient self-management training and education.

Authority---O.C.G.A. Sections 33-2-9 and 33-24-59.2.

Section 120-2-88-0.11-.03 Outpatient Diabetes Self-Management Training. To qualify for coverage under individual major medical and group health insurance policies, group health insurance plans or policies, and any other form of managed or capitated care plans or policies, outpatient diabetes self-management training must meet the following conditions:

(a) Following an evaluation of the insured's need for training, it is ordered by a physician treating the insured's diabetes;

(b) It is included in a comprehensive plan of care established by the physician treating the insured's diabetes that meets the following requirements:

(1) Describes the content, number of sessions, frequency, and duration of training as written by the physician treating the insured's diabetes;

(2) Contains a statement signed by the physician managing the insured's diabetic condition that such physician is managing the insured's diabetic condition and the training described in the plan of care is needed to ensure therapy compliance or to provide the insured with the skills and knowledge to help manage the insured's diabetes. The statement must identify the insured's specific medical conditions that the training will address;

(3) Provides that any changes to the plan of care are signed by the physician treating the insured;

(4) Is incorporated into the insured's medical record and is made available to the insurer;

(c) It is reasonable and necessary for treating or monitoring the condition of the insured who has been diagnosed as having insulin-dependent diabetes, insulin-using diabetes, gestational diabetes, or noninsulin-using diabetes.

(d) Initial training will be covered if it meets the following conditions:

(1) It is furnished to an insured who has not previously received covered initial training;

(2) It is furnished within a continuous 12-month period;

(3) It does not exceed a total of 10 hours;

(4) Unless permitted pursuant to Section 120-2-88-0.11-.03(e), 9 hours of the training are furnished in a group setting consisting of 2 to 20 individuals;

(5) It is furnished in increments of no less than one-half hour;

(6) It may include 1 hour of individual training for an assessment of the insured's training needs.

(e) Coverage will be provided on an individual basis for an insured who meets any of the following conditions:

(1) No group session is available within 2 months of the date the training is ordered;

(2) The insured's physician documents in the insured's medical record that the insured has special needs that will hinder effective participation in a group training session.

(f) Follow-up training will be covered if it meets the following conditions:

(1) It consists of no more than 2 hours individual or group training for an insured in any continuous 12-month period;

(2) It is furnished any time within 12 months following any 12 month period after which the insured began the initial or the last follow-up training;

(3) It is furnished in increments of no less than one-half hour;

(4) The insured's physician must document, in the referral for training and the insured's medical record, the specific medical condition that the follow-up training must address.

(g) Coverage for one course of initial training shall be provided for an insured who has one or more of the following medical conditions present within the 12-month period before the physician's order for the training:

(1) New onset diabetes;

(2) Inadequate glycemic control as evidenced by a glycosylated hemoglobin (HbA1C) level of 8.5% or more on two consecutive HbA1C determinations 3 or more months apart in the year before the insured begins receiving training;

(3) A change in treatment regimen from no diabetes medications to any diabetes medication, or from oral diabetes medication to insulin;

(4) High risk for complications based on inadequate glycemic control (documented acute episodes of severe hypoglycemia or acute severe hyperglycemia occurring in the past year during which the insured needed emergency room visits or hospitalization);

(5) High risk based on at least one of the following documented complications:

(i) Lack of feeling in the foot or other foot complications such as foot ulcers, deformities or amputation;

(ii) Pre-proliferative or proliferative retinopathy or prior laser treatment of the eye;

(iii) Kidney complications related to diabetes, when manifested by albuminuria, without other cause, or elevated creatinine.

(h) Training must be furnished by a certified, registered or licensed health care professional with expertise in diabetes satisfying the criteria for Medicare coverage for diabetes education and training pursuant to 42 CFR Part 410.

Authority---O.C.G.A. Sections 33-2-9 and 33-24-59.2.

Section 120-2-88-0.11-.04 Penalties. Any accident and sickness insurer or managed care organization failing to comply with the requirements of this Regulation Chapter shall be subject to penalties and enforcement actions as may be appropriate under the insurance laws of this State.

Authority---O.C.G.A. Sections 33-2-9 and 33-24-59.2.

Section 120-2-88-0.11-.05 Severability. If any provision of this Regulation Chapter or the application thereof to any person or circumstance is for any reason held to be invalid by a court of competent jurisdiction, the remainder of the Regulation Chapter or the applicability of such provision to other persons or circumstances shall not be affected.

Authority---O.C.G.A. Sections 33-2-9 and 33-24-59.2.