



SPONSOR: Sen. Blevins & Rep. Maier ;  
Sens. Henry, Sokola, Adams,  
Cook, DeLuca, Marshall, McBride,  
McDowell, Sharp, Vaughn,  
Bunting; Reps. Keeley, Price,  
Schroeder, Miro, Cloutier

DELAWARE STATE SENATE

140th GENERAL ASSEMBLY

SENATE BILL NO. 190

AN ACT TO AMEND TITLE 18 OF THE DELAWARE CODE RELATING TO HEALTH INSURANCE  
COVERAGE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1           Section 1. Amend Chapter 35 of Title 18 of the Delaware Code by adding thereto a new section 3359 to  
2 read:

3                   “§3559 (a) Every individual or group hospital service corporation contract, individual or group  
4 medical service corporation contract, individual or group health service corporation contract, individual health  
5 insurance policy, group health insurance policy, and contract for health care services that provides hospital,  
6 outpatient services, or medical expense benefits and provides coverage for prescription drugs and that is delivered,  
7 issued, executed, or renewed in this State pursuant to Title 18 of the Delaware Code or is approved for issuance or  
8 renewal in this State by the Insurance Commissioner shall provide benefits to any subscriber or other person covered  
9 thereunder for expenses incurred for the following equipment and supplies for the treatment of diabetes, if  
10 recommended or prescribed by a physician: insulin pumps; if recommended or prescribed by a physician or  
11 physician assistant or nurse practitioner or clinical nurse specialist: blood glucose meters and strips, urine testing  
12 strips, insulin, syringes, and pharmacological agents for controlling blood sugar.

13 (b)                   The benefits required by this section shall be provided to the same extent as for any other  
14 sickness under the contract.

15 (c)                   This section shall apply to all hospital service corporation contracts in which the hospital  
16 service corporation has reserved the right to change the premium.

(d) The Insurance Commissioner may promulgate and periodically update a list of additional diabetes equipment and related supplies that are medically necessary for the treatment of diabetes and for which benefits shall be provided according to the provisions of this section.

(e) This section shall apply to all contracts and policies issued, renewed, modified, altered, amended, or reissued 90 days and thereafter from the date of enactment.

(f) Nothing in this section shall apply to accident-only, specified disease, hospital indemnity, Medicare supplement long-term care, disability income, or other limited benefit health insurance policies.”

Section 2. Amend Chapter 33 of Title 18 of the Delaware Code by adding thereto a new section 3344 to read:

“§3344 (a) Every individual or group hospital service corporation contract, individual or group medical service corporation contract, individual or group health service corporation contract, individual health insurance policy, group health insurance policy, and contract for health care services that provides hospital, including outpatient services, or medical expense benefits and provides coverage for prescription drugs and that is delivered, issued, executed, or renewed in this State pursuant to Title 18 of the Delaware Code or is approved for issuance or renewal in this State by the Insurance Commissioner shall provide benefits to any subscriber or other person covered thereunder for expenses incurred for the following equipment and supplies for the treatment of diabetes, if recommended or prescribed by a physician: insulin pumps; if recommended or prescribed by a physician or physician assistant or nurse practitioner or clinical nurse specialist: blood glucose meters and strips, urine testing strips, insulin, syringes, and pharmacological agents for controlling blood sugar.

(b) The benefits required by this section shall be provided to the same extent as for any other sickness under the contract.

(c) This section shall apply to all hospital service corporation contracts in which the hospital service corporation has reserved the right to change the premium.

(d) The Insurance Commissioner may promulgate and periodically update a list of additional diabetes equipment and related supplies that are medically necessary for the treatment of diabetes and for which benefits shall be provided according to the provisions of this section.

(e) This section shall apply to all contracts and policies issued, renewed, modified, altered, amended, or reissued 90 days and thereafter from the date of enactment.

45 (f) Nothing in this section shall apply to accident-only, specified disease, hospital indemnity,  
46 Medicare supplement long-term care, disability income, or other limited benefit health insurance policies.”  
47 Section 3. If any provision of this Act or the application thereof to any person or circumstance is held invalid,  
48 such invalidity shall not affect other provisions or applications of the Act which can be given effect without the  
49 invalid provision or application, and to that end the provisions of this Act are declared to be severable.

#### SYNOPSIS

This Bill requires every individual or group hospital service corporation contract, individual or group medical service corporation contract, individual or group health service corporation contract, individual health insurance policy, group health insurance policy, and contract for health care services that provides a prescription drug benefit to include in such benefit, coverage for diabetes equipment and supplies.

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