

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 1536

Short Title: Diabetes Self-Management/Reimbursement. (Public)

Sponsors: Representatives Cotham, England, Allen, Bryant (Primary Sponsors); Faison and Wray.

Referred to: Health, if favorable, Appropriations.

April 23, 2009

A BILL TO BE ENTITLED
AN ACT PERTAINING TO MEDICAID REIMBURSEMENT FOR DIABETES
OUTPATIENT SELF-MANAGEMENT EDUCATION PROGRAMS.

Whereas, effective November 1, 1999, North Carolina Medicaid began covering Diabetes Outpatient Self-Management Training; and

Whereas, Diabetes Outpatient Self-Management Training programs provide patient education in the successful management of diabetes; and

Whereas, Diabetes Outpatient Self-Management Training programs provide education about self-monitoring of blood glucose, diet, and exercise, including developed insulin treatment plans for insulin-dependent patients and motivation for patients to use the skills for self-management; and

Whereas, Article XVII of the Social Security Act allows coverage and payment only for those services that are considered to be medically reasonable and necessary; and

Whereas, North Carolina Medicaid will only reimburse providers for Diabetes Outpatient Self-Management Training provided "incident" to a physician's professional services; and

Whereas, Diabetes Self-Management Education is reimbursed as part of the Medicare Part B programs as overseen by the Centers of Medicare and Medicaid Services (CMS) provided the entity has received recognition from the American Diabetes Association; and

Whereas, there are 80 recognized American Diabetes Association Diabetes Education Programs in North Carolina; and

Whereas, there are over 720,000 North Carolinians who have been diagnosed with diabetes, including many Medicaid recipients; and

Whereas, diabetes education can improve the health and welfare of North Carolina Medicaid recipients and reduce overall costs to the State Medical Assistance Plan; Now, therefore,

The General Assembly of North Carolina enacts:

SECTION 1. The Department of Health and Human Services, Division of Medical Assistance, shall reimburse entities for providing a Diabetes Outpatient Self-Management Education Program regardless of whether the entity provides the program incident to a physician's professional services. The Division of Medical Assistance shall provide reimbursement under this section only if the entity meets all of the following criteria:

- (1) Meets the National Standards for Diabetes Self-Management Education Programs.



- 1 (2) Has been recognized by the American Diabetes Association for meeting the
2 National Standards for Diabetes Self-Management Education.
- 3 (3) Has obtained a "Certificate of Recognition" from the American Diabetes
4 Association which is maintained by the provider and made available to the
5 Division of Medical Assistance or its agent upon request.
- 6 (4) Has received documentation certifying the need for diabetic training and
7 documentation of the training provided.

8 Any pharmacy or pharmacist providing diabetes educational services for a Medicaid
9 enrollee shall obtain relevant patient history information and provide a summary of specific
10 problems discussed with the enrollee to the enrollee's primary care physician. The summary
11 required by this section shall be prepared or reviewed by the pharmacist who provided the
12 diabetes educational services. This section shall not be interpreted to permit a pharmacist to
13 engage in prescribing or modifying prescription orders or medication regimens under protocol
14 without obtaining approval as a clinical pharmacy practitioner by the Pharmacy Board and the
15 Medical Board.

16 **SECTION 2.** The Department of Health and Human Services, Division of Medical
17 Assistance, shall use funds appropriated for the 2009-2010 and 2010-2011 fiscal years to
18 implement this act.

19 **SECTION 3.** This act becomes effective July 1, 2009.