

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 914

Short Title: Bone Mass Measurement/Coverage.

(Public)

Sponsors: Representatives Watson; Adams, Church, Davis, Easterling, Esposito, Gardner, Gulley, Hill, Howard, Insko, Jeffus, Luebke, Moore, Morris, Russell, Sexton, Sherrill, Shubert, Sutton, Wainwright, Warner, and C. Wilson.

Referred to: Insurance, if favorable, Appropriations.

April 10, 1997

A BILL TO BE ENTITLED

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2 **AN ACT TO REQUIRE HEALTH AND ACCIDENT INSURANCE POLICIES,**
3 **HOSPITAL OR MEDICAL SERVICES PLANS, AND HMO PLANS TO PROVIDE**
4 **COVERAGE FOR BONE MASS MEASUREMENT FOR THE DIAGNOSIS AND**
5 **TREATMENT OF OSTEOPOROSIS.**

6 Whereas, osteoporosis affects 25,000,000 Americans and each year results in
7 over 1,000,000 fractures of the hips, spine, wrist, and other bones, costing the nation at
8 least \$18,000,000,000 dollars; and

9 Whereas, osteoporosis progresses silently, in most cases undiagnosed until a
10 fracture occurs, and once a fracture occurs, the disease is already advanced, and the
11 likelihood is high that another fracture will occur; and

12 Whereas, scientifically proven technologies for bone mass measurement and
13 other services related to the diagnosis and treatment of osteoporosis can be used
14 effectively to reduce the pain and financial burden that this disease inflicts upon its
15 victims; Now, therefore,

16 The General Assembly of North Carolina enacts:

17 Section 1. Article 51 of Chapter 58 of the General Statutes is amended by
18 adding the following new section to read:

1 **"§ 58-51-61. Coverage for bone mass measurement for diagnosis and treatment of**
2 **osteoporosis.**

3 (a) Every policy or contract of accident or health insurance, and every preferred
4 provider contract, policy, or plan as defined and regulated under G.S. 58-50-50 and G.S.
5 58-50-55, that is issued, renewed, or amended on or after January 1, 1998, shall provide
6 coverage for a qualified individual for scientifically proven bone mass measurement for
7 the diagnosis and treatment of osteoporosis. The same deductibles, coinsurance, and
8 other limitations as apply to similar services covered under the policy, contract, or plan
9 shall apply to coverage for bone mass measurement.

10 (b) As used in this section, 'bone mass measurement' means a radiologic or
11 radioisotopic procedure or other scientifically proven technologies performed on an
12 individual for the purpose of identifying bone mass or detecting bone loss. As used in
13 this section, 'qualified individual' means a person with a condition for which bone mass
14 measurement is determined to be medically necessary by the person's attending physician
15 or primary care physician."

16 Section 2. Article 65 of Chapter 58 of the General Statutes is amended by
17 adding the following new section to read:

18 **"§ 58-65-96. Coverage for bone mass measurement for diagnosis and treatment of**
19 **osteoporosis.**

20 (a) Every insurance certificate or subscriber contract under any hospital service
21 plan or medical service plan governed by this Article and Article 66 of this Chapter, and
22 every preferred provider contract, policy, or plan as defined and regulated under G.S. 58-
23 50-50 and G.S. 58-50-55, that is issued, renewed, or amended on or after January 1, 1998,
24 shall provide coverage for a qualified individual for scientifically proven bone mass
25 measurement for the diagnosis and treatment of osteoporosis. The same deductibles,
26 coinsurance, and other limitations as apply to similar services covered under the policy,
27 contract, or plan shall apply to coverage for bone mass measurement.

28 (b) As used in this section, 'bone mass measurement' means a radiologic or
29 radioisotopic procedure or other scientifically proven technologies performed on an
30 individual for the purpose of identifying bone mass or detecting bone loss. As used in
31 this section, 'qualified individual' means a person with a condition for which bone mass
32 measurement is determined to be medically necessary by the person's attending physician
33 or primary care physician."

34 Section 3. Article 67 of Chapter 58 of the General Statutes is amended by
35 adding the following new section to read:

36 **"§ 58-67-79. Coverage for bone mass measurement for diagnosis and treatment of**
37 **osteoporosis.**

38 (a) Every health care plan written by a health maintenance organization and in
39 force, issued, renewed, or amended on or after January 1, 1998, that is subject to this
40 Article, shall provide coverage for a qualified individual for scientifically proven bone
41 mass measurement for the diagnosis and treatment of osteoporosis. The same
42 deductibles, coinsurance, and other limitations as apply to similar services covered under
43 the policy, contract, or plan shall apply to coverage for bone mass measurement.

1 (b) As used in this section, 'bone mass measurement' means a radiologic or
2 radioisotopic procedure or other scientifically proven technologies performed on an
3 individual for the purpose of identifying bone mass or detecting bone loss. As used in
4 this section, 'qualified individual' means a person with a condition for which bone mass
5 measurement is determined to be medically necessary by the person's attending physician
6 or primary care physician."

7 Section 4. G.S. 58-50-155 reads as rewritten:

8 **"§ 58-50-155. Standard and basic health care plan coverages.**

9 (a) Notwithstanding G.S. 58-50-125(c), the standard health plan developed and
10 approved under G.S. 58-50-125 shall provide coverage for mammograms and pap smears
11 at least equal to the coverage required by G.S. 58-51-57.

12 (a1) Notwithstanding G.S. 58-50-125(c), the standard health plan developed and
13 approved under G.S. 58-50-125 shall provide coverage for prostate-specific antigen
14 (PSA) tests or equivalent tests for the presence of prostate cancer at least equal to the
15 coverage required by G.S. 58-51-58.

16 (a2) Notwithstanding G.S. 58-50-125(c), the standard health plan developed and
17 approved under G.S. 58-50-125 shall provide coverage for a qualified individual for
18 scientifically proven bone mass measurement for the diagnosis and treatment of
19 osteoporosis at least equal to the coverage required by G.S. 58-51-61.

20 (b) Notwithstanding G.S. 58-50-125(c), in developing and approving the plans
21 under G.S. 58-50-125, the Committee and Commissioner shall give due consideration to
22 cost-effective and life-saving health care services and to cost-effective health care
23 providers. This section shall be effective after July 10, 1991."

24 Section 5. Nothing in this act shall apply to specified accident, specified
25 disease, hospital indemnity, or long-term care health insurance policies.

26 Section 6. This act is effective when it becomes law.