

WEST VIRGINIA  
SECRETARY OF STATE  
KEN HECHLER  
ADMINISTRATIVE LAW DIVISION

Form #6

Do Not Mark In this Box

FILED

MAY 16 4 10 PM '97

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED  
BY THE WEST VIRGINIA LEGISLATURE.

AGENCY: Insurance Commissioner TITLE NUMBER: 114

AMENDMENT TO AN EXISTING RULE: YES , NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: \_\_\_\_\_

TITLE OF RULE BEING AMENDED: \_\_\_\_\_

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: Series 52

TITLE OF RULE BEING PROPOSED: Diabetes Regulation

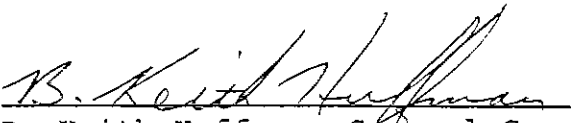
THE ABOVE RULE HAS BEEN AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE.

AUTHORIZATION IS CITED IN (house or senate bill number) S.B. 157

SECTION 64-7-3(e), PASSED ON April 20, 1997

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON

THE FOLLOWING DATE: May 16, 1997

  
B. Keith Huffman, General Counsel

114CSR52  
WEST VIRGINIA LEGISLATIVE RULE  
INSURANCE COMMISSIONER

SERIES 52  
DIABETES REGULATIONS

Section

- §114-52-1. General.
- §114-52-2. Insurance Coverage for Diabetics.

FILED

114CSR52  
WEST VIRGINIA LEGISLATIVE RULE  
INSURANCE COMMISSIONER

MAY 16 4 11 PM '97

SERIES 52  
DIABETES REGULATIONS

OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

§114-52-1. General.

1.1. Scope. -- The purpose of this rule is to set forth the equipment and supplies for the treatment and/or management of diabetes which shall be covered by major medical or similar comprehensive-type medical coverage if medically necessary and either prescribed by a licensed physician or upon written order by a licensed physician.

1.2. Authority. -- W. Va. Code §§ 33-2-10, 33-15C-1 and 33-16-16.

1.3. Filing Date. -- May 16, 1997.

1.4. Effective Date. -- May 16, 1997.

§114-52-2. Insurance Coverage for Diabetics.

2.1. Except as provided in W. Va. Code § 33-15-6, any policy which provides major medical or similar comprehensive-type medical coverage shall include coverage for the following equipment and supplies for the treatment and/or management of diabetes for both insulin dependent and noninsulin dependent persons with diabetes and those with gestational diabetes, if medically necessary because of the diabetic condition and either prescribed by a licensed physician or upon written order by a licensed physician:

- a. Urine ketone testing strips;
- b. Urine microalbumin test;
- c. Blood pressure monitoring device;
- d. Podiatric appliances and therapeutic footwear; and
- e. Orthopedic appliances including canes, crutches

and walkers.



STATE OF WEST VIRGINIA  
Offices of the Insurance Commissioner

Legal Division

CECIL UNDERWOOD  
Governor

HANLEY C. CLARK  
Insurance Commissioner

May 16, 1997

HAND DELIVERED

Ms. Judy Cooper, Director  
Administrative Law Division  
Office of Secretary of State  
State Capitol  
Charleston, WV 25305

Dear Ms. Cooper:

Attached for filing with your office is the "final filing" form for the rule Series 52 titled "Diabetes Regulations." This rule was authorized in Senate Bill 157 and passed by the Legislature on April 20, 1997.

We are also providing your office with a computer disc containing the aforementioned rule and a hard copy of the promulgation history of that rule. The filing date and effective date have already been inserted onto the computer disc.

If you have any questions about the enclosed forms or the computer disc, please do not hesitate to call me.

Sincerely,

A handwritten signature in cursive script that reads "Donna Quesenberry".

Donna Quesenberry  
Associate Counsel

DQ/cjs  
Attachment

# PROMULGATION HISTORY

## West Virginia Insurance Commission

### TITLE 114, SERIES 52 DIABETES REGULATIONS

<u>DATE</u>	<u>ACTION TAKEN</u>
07-26-96	... Notice of a Comment Period Filed
08-26-96	Last Date Comments Were Received
08-29-96	Notice of Agency Approval of a Proposed Rule Filed
02-14-97	Notice of Action Taken by Legislative Rule-Making Review Committee
02-20-97	Notice of Rule Modification of a Proposed Rule Filed
05-16-97	Notice of Final Filing of a Proposed Rule Filed
05-16-97	Effective Date of Rule

KEN HECHLER  
Secretary of State

MARY P. RATLIFF  
Deputy Secretary of State

JAN CASTO  
Deputy Secretary of State

CATHERINE FREROTTE  
Executive Assistant

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STATE OF WEST VIRGINIA  
SECRETARY OF STATE

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Charleston, WV 25305-0770

WILLIAM H. HARRINGTON  
Chief of Staff

JUDY COOPER  
Director, Administrative Law

PENNEY BARKER  
Supervisor, Corporations

(Plus all the volunteer  
we can get)  
JUN 22 9 33 AM '97  
FILED  
OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

TO: DONNA QUESENBERRY

AGENCY: INSURANCE COMMISSIONER

FROM: JUDY COOPER, DIRECTOR, ADMINISTRATIVE LAW DIVISION

DATE: June 12, 1997

THE ATTACHED RULE FILED BY YOUR AGENCY HAS BEEN ENTERED INTO OUR COMPUTER SYSTEM. PLEASE REVIEW, PROOF AND RETURN IT WITH ANY CORRECTIONS. IF THERE ARE NO CORRECTIONS, PLEASE SIGN THIS MEMO AND RETURN IT TO THIS OFFICE. YOU WILL BE SENT A FINAL VERSION OF THE RULE FOR YOUR RECORDS.

PLEASE RETURN EITHER THE CORRECTED RULE OR THIS FORM WITHIN TEN (10) WORKING DAYS OF THE DATE YOU RECEIVED THIS REQUEST. CALL IF YOU HAVE ANY QUESTIONS.

SERIES: 52 TITLE: 114 INSURANCE COMMISSIONER

\* THE ATTACHED RULE HAS BEEN REVIEWED AND IS CORRECT.

SIGNED: Donna L. Quesenberg

TITLE OF PERSON SIGNING: Associate Counsel

DATE: 7/18/97

\*\*\*\*\*

\* THE ATTACHED RULE HAS BEEN REVIEWED AND NEEDS CORRECTING. THE CORRECTIONS HAVE BEEN MARKED.

SIGNED: \_\_\_\_\_

TITLE OF PERSON SIGNING: \_\_\_\_\_

DATE: \_\_\_\_\_

NOTE: IF YOU ARE NOT THE PERSON WHO HANDLES THIS RULE, PLEASE FORWARD TO THE CORRECT PERSON.