



Sen. Julie A. Morrison

Filed: 3/5/2024

10300SB3414sam001

LRB103 38590 RPS 70406 a

1 AMENDMENT TO SENATE BILL 3414

2 AMENDMENT NO. _____. Amend Senate Bill 3414 on page 1,
3 line 10, by replacing "2025" with "2026"; and

4 on page 1, line 17, by replacing "2025" with "2026"; and

5 by replacing line 19 on page 1 through line 19 on page 2 with
6 the following:

7 "the use of continuous glucose monitors for any individual if
8 the policy is in full alignment with Medicare and the
9 following requirements are met:

10 (1) the individual is diagnosed with diabetes
11 mellitus;

12 (2) the continuous glucose monitor has been prescribed
13 by a physician licensed under the Medical Practice Act of
14 1987 or a certified nurse practitioner or physician
15 assistant with a collaborative agreement with the
16 physician;

1 (3) the continuous glucose monitor has been prescribed
2 in accordance with the Food and Drug Administration's
3 indications for use;

4 (4) the prescriber has concluded that the individual
5 or individual's caregiver has sufficient training in using
6 the continuous glucose monitor, which may be evidenced by
7 the prescriber having prescribed a continuous glucose
8 monitor, and has attested that the patient will be
9 provided with that training;

10 (5) the individual either:

11 (A) uses insulin for treatment via one or more
12 injections or infusions of insulin per day, and only
13 one injection or infusion of one type of insulin shall
14 be sufficient utilization of insulin to qualify for a
15 continuous glucose monitor under this Section; or

16 (B) has reported a history of problematic
17 hypoglycemia with documentation to the individual's
18 medical provider showing at least one of the
19 following:

20 (i) recurrent hypoglycemic events
21 characterized by an altered mental or physical
22 state, despite multiple attempts to adjust
23 medications or modify the diabetes treatment plan,
24 as documented by a medical provider; or

25 (ii) a history of at least one hypoglycemic
26 event characterized by an altered mental or

1 physical state requiring third-party assistance
2 for treatment of hypoglycemia, as documented by
3 the individual's medical provider, which may be
4 self-reported by the individual; third-party
5 assistance shall not, in any event, be deemed to
6 require that the individual had been admitted to a
7 hospital or visited an emergency department; and

8 (6) within 6 months prior to prescribing a continuous
9 glucose monitor, the medical provider prescribing the
10 continuous glucose monitor had an in-person or covered
11 telehealth visit with the individual to evaluate the
12 individual's diabetes control and has determined that the
13 criteria of paragraphs (1) through (5) are met.

14 Notwithstanding any other provision of this Section, to
15 qualify for a continuous glucose monitor under this Section,
16 an individual is not required to have a diagnosis of
17 uncontrolled diabetes; have a history of emergency room visits
18 or hospitalizations; or show improved glycemic control.

19 All continuous glucose monitors covered under this Section
20 shall be approved for use by individuals, and the choice of
21 device shall be made based upon the individual's
22 circumstances, preferences, and needs in consultation with the
23 individual's medical provider.

24 (b) Any individual who is diagnosed with diabetes mellitus
25 and meets the requirements of this Section shall not be
26 required to obtain prior authorization for coverage for a

1 continuous glucose monitor, and coverage shall be continuous
2 once the continuous glucose monitor is prescribed.

3 (c) A group or individual policy of accident and health
4 insurance or a managed care plan that is amended, delivered,
5 issued, or renewed on or after January 1, 2026 shall not impose
6 a deductible, coinsurance, copayment, or any other
7 cost-sharing requirement on the coverage provided under this
8 Section. The provisions of this subsection do not apply to
9 coverage under this Section to the extent such coverage would
10 disqualify a high-deductible health plan from eligibility for
11 a health savings account pursuant to the federal Internal
12 Revenue Code, 26 U.S.C. 23.

13 Section 10. The Illinois Public Aid Code is amended by
14 adding Section 5-16.8a as follows:

15 (305 ILCS 5/5-16.8a new)

16 Sec. 5-16.8a. Rules concerning continuous glucose monitor
17 coverage. The Department shall adopt rules to implement the
18 changes made to Section 356z.59 of the Illinois Insurance
19 Code, as applied to the medical assistance program. The rules
20 shall, at a minimum, provide that:

21 (1) the ordering provider must be a physician licensed
22 under the Medical Practice Act of 1987 or a certified
23 nurse practitioner or physician assistant with a
24 collaborative agreement with the physician;

1 (2) continuous glucose monitors are not required to
2 have an alarm when glucose levels are outside the
3 pre-determined range; the capacity to generate predictive
4 alerts in case of impending hypoglycemia; or the ability
5 to transmit real-time glucose values and alerts to the
6 patient and designated other persons;

7 (3) the beneficiary is not required to need intensive
8 insulin therapy;

9 (4) the beneficiary is not required to have a recent
10 history of emergency room visits or hospitalizations
11 related to hypoglycemia, hyperglycemia, or ketoacidosis;

12 (5) if the beneficiary has gestational diabetes, the
13 beneficiary is not required to have suboptimal glyemic
14 control that is likely to harm the beneficiary or the
15 fetus;

16 (6) if a beneficiary has diabetes mellitus and the
17 beneficiary does not meet the coverage requirements or if
18 the beneficiary is in a population in which continuous
19 glucose monitor usage has not been well-studied, requests
20 shall be reviewed, on a case-by-case basis, for medical
21 necessity and approved if appropriate; and

22 (7) the beneficiary is not required to obtain prior
23 authorization for coverage for a continuous glucose
24 monitor, and that coverage is continuous once the
25 continuous glucose monitor is prescribed."