

## HOUSE BILL No. 2446

By Representatives Ballard and Pottorff, Barnes, Bethell, Burroughs, Compton, Crow, Findley, Flaharty, Garner, Gilbert, Henry, Horst, Kirk, Kuether, Landwehr, M. Long, McClure, McKinney, Minor, Judy Morrison, Nichols, Pauls, E. Peterson, Phelps, Ray, Reardon, Ruff, Sharp, Showalter, Storm, Swenson, Toelkes, Wells, Welshimer and Winn

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AN ACT concerning insurance; relating to diagnosis and treatment of osteoporosis.

*Be it enacted by the Legislature of the State of Kansas:*

Section 1. This act shall be known and may be cited as the “bone mass measurement coverage act.”

Sec. 2. (a) The legislature hereby finds the following:

(1) Osteoporosis affects 25 million Americans and each year results in 1.5 million fractures of the hip, spine, wrist and other bones, costing the nation at least \$18 billion;

(2) osteoporosis progresses silently, in most cases undiagnosed until a fracture occurs, and once a fracture occurs, the disease is already advanced, and the likelihood is high that another fracture will occur;

(3) one in two women and one in five men will suffer a fracture due to osteoporosis during their lifetime;

(4) because osteoporosis progresses silently, and, currently has no cure, early diagnosis and treatment are key to reducing the prevalence and devastation of this disease;

(5) medical experts agree that osteoporosis is preventable and treatable; however, once the disease progresses to the point of fracture its associated consequences often lead to disability, institutionalization and exact a heavy toll on the quality of life;

(6) given the current national focus on health care reform and the reduction of unnecessary health care expenditures through the use of health promotion programs, bone mass measurement, related to the early diagnosis and the timely treatment of osteoporosis is a cost effective approach to embrace;

(7) bone mass measurement is a reliable way to detect the presence of low bone mass and to ascertain the extent of bone loss to help assess the individual’s risk for fracture, and this aids in selecting appropriate

1 therapies and interventions; ordinary x-rays are not sensitive enough to  
2 detect osteoporosis until 25-40% of bone mass has been lost, and the  
3 disease far advanced;

4 (8) while there are currently available technologies for bone mass  
5 measurement, other technologies for measuring bone mass are under  
6 investigation and may become scientifically proven technologies in the  
7 future; and

8 (9) scientifically proven technologies for bone mass measurement and  
9 other services related to the diagnosis and treatment of osteoporosis can  
10 be used effectively to reduce the pain and financial burden that osteo-  
11 porosis inflicts upon its victims.

12 (b) The purpose of this act is to provide insurance coverage to indi-  
13 viduals with a condition or medical history for which bone mass meas-  
14 urement (bone density testing) is determined to be medically necessary  
15 for the individual's diagnosis and treatment of osteoporosis.

16 Sec. 3. Any individual or group health insurance policy, medical serv-  
17 ice plan, contract, hospital service corporation contract, hospital and med-  
18 ical service corporation contract, fraternal benefit society or health main-  
19 tenance organization which provides coverage for accident and health  
20 services and which is delivered, issued for delivery, amended or renewed  
21 on or after July 1, 2001, shall be deemed to include coverage for services  
22 related to diagnosis, treatment and appropriate management of osteo-  
23 porosis. The services may include, but need not be limited to, all food  
24 and drug administration approved technologies, including bone mass  
25 measurement technologies, as deemed medically appropriate.

26 Sec. 4. This act shall take effect and be in force from and after its  
27 publication in the statute book.

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