

REFERENCE TITLE: type 1 diabetes; drugs; devices

State of Arizona
Senate
Fifty-sixth Legislature
First Regular Session
2023

SB 1701

Introduced by
Senator Wadsack: Representative Jones

AN ACT

AMENDING TITLE 36, CHAPTER 29, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 36-2912.01; APPROPRIATING MONIES; RELATING TO THE ARIZONA
HEALTH CARE COST CONTAINMENT SYSTEM.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 36, chapter 29, article 1, Arizona Revised
3 Statutes, is amended by adding section 36-2912.01, to read:

4 36-2912.01. Diabetes treatment program; persons with type 1
5 diabetes; drugs and devices; eligibility

6 A. THE ADMINISTRATION SHALL ESTABLISH A DIABETES TREATMENT PROGRAM
7 TO PROVIDE MEDICALLY NECESSARY DRUGS AND DEVICES TO TREAT TYPE 1 DIABETES,
8 INCLUDING INSULIN AND INSULIN PUMPS, FOR PERSONS WHO:

- 9 1. ARE YOUNGER THAN TWENTY-FOUR YEARS OF AGE.
10 2. HAVE BEEN DIAGNOSED WITH TYPE 1 DIABETES.
11 3. ARE RESIDENTS OF THIS STATE.
12 4. ARE UNINSURED OR UNDERINSURED.
13 5. ARE NOT ELIGIBLE UNDER TITLE XIX OR XXI OF THE SOCIAL SECURITY

14 ACT.

15 B. THE ADMINISTRATION MAY NOT:

- 16 1. IMPOSE COST SHARING REQUIREMENTS FOR THE DRUGS AND DEVICES
17 PROVIDED PURSUANT TO THIS SECTION.
18 2. CONSIDER THE FAMILY INCOME OF A PERSON WHEN DETERMINING
19 ELIGIBILITY.

20 C. THE ADMINISTRATION SHALL ACT AS PAYOR OF LAST RESORT FOR PERSONS
21 WHO ARE ELIGIBLE PURSUANT TO THIS SECTION. ON RECEIPT OF SERVICES UNDER
22 THIS SECTION, A PERSON IS DEEMED TO HAVE ASSIGNED TO THE ADMINISTRATION
23 ALL RIGHTS TO ANY TYPE OF MEDICAL BENEFIT TO WHICH THE PERSON IS ENTITLED.

24 D. THIS SECTION DOES NOT ESTABLISH A DUTY ON THE ADMINISTRATION TO
25 PROVIDE SERVICES OR SPEND MONIES IN EXCESS OF THE MONIES APPROPRIATED IN
26 ANY FISCAL YEAR FOR THE DIABETES TREATMENT PROGRAM ESTABLISHED PURSUANT TO
27 THIS SECTION.

28 Sec. 2. Appropriation; Arizona health care cost containment
29 system administration; diabetes treatment program;
30 exemption

31 A. The sum of \$_____ is appropriated from the state general fund in
32 fiscal year 2023-2024 to the Arizona health care cost containment system
33 administration for the diabetes treatment program established pursuant to
34 section 36-2912.01, Arizona Revised Statutes, as added by this act.

35 B. The appropriation made in subsection A of this section is exempt
36 from the provisions of section 35-190, Arizona Revised Statutes, relating
37 to lapsing of appropriations.