

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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SENATE BILL 868

Short Title: Adaptive Exercise Equipment Coverage. (Public)

Sponsors: Senator Chaudhuri (Primary Sponsor).

Referred to: Rules and Operations of the Senate

May 27, 2022

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE HEALTH BENEFIT PLANS TO PROVIDE COVERAGE FOR
3 ADAPTIVE EXERCISE EQUIPMENT.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.(a)** Article 3 of Chapter 58 of the General Statutes is amended by adding
6 a new section to read:

7 "**§ 58-3-295. Coverage for adaptive exercise equipment.**

8 (a) Every health benefit plan offered by an insurer in this State shall provide coverage for
9 adaptive exercise equipment for individuals with chronic mobility impairments that result in
10 lifelong wheelchair use. For purposes of this section, "adaptive exercise equipment" means any
11 machine, device, or tool designed to accommodate the improvement or maintenance of physical
12 health.

13 (b) Coverage for adaptive exercise equipment under this section shall be subject to the
14 same copayment, coinsurance, and deductible provisions as similar durable medical equipment
15 covered under the health benefit plan.

16 (c) Nothing in this section prevents an insurer from applying utilization review criteria
17 to determine medical necessity, as defined by G.S. 58-50-61. Any utilization review program or
18 medical necessity determination related to the coverage of adaptive exercise equipment shall
19 comply with all requirements specified in G.S. 58-50-61, including the offering of an insurer
20 appeal process and, where applicable, health benefit plan external review as provided in Part 4
21 of Article 50 of this Chapter."

22 **SECTION 1.(b)** G.S. 135-48.51 reads as rewritten:

23 "**§ 135-48.51. Coverage and operational mandates related to Chapter 58 of the General**
24 **Statutes.**

25 The following provisions of Chapter 58 of the General Statutes apply to the State Health Plan:

26 ...

27 (14) G.S. 58-3-295, Coverage for adaptive exercise equipment."

28 **SECTION 2.** There is appropriated from the General Fund to the Office of State
29 Budget and Management the sum of ten thousand dollars (\$10,000) in nonrecurring funds for the
30 2022-2023 fiscal year to provide a directed grant to Disability Rights North Carolina, a nonprofit
31 corporation, to educate the public regarding the effects of this act.

32 **SECTION 3.** Section 1 of this act becomes effective October 1, 2022, and applies to
33 contracts issued, renewed, or amended on or after that date. Section 2 of this act becomes
34 effective July 1, 2022. The remainder of this act is effective when it becomes law.

