

SECOND REGULAR SESSION

HOUSE BILL NO. 1700

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ROBERTS.

3435H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 376.1219, RSMo, and to enact in lieu thereof one new section relating to health insurance coverage of dietary treatment for certain diseases.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 376.1219, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 376.1219, to read as follows:

376.1219. 1. Each policy issued by an entity offering individual and group health insurance which provides coverage on an expense-incurred basis, individual and group health service or indemnity type contracts issued by a nonprofit corporation, individual and group service contracts issued by a health maintenance organization, all self-insured group health arrangements to the extent not preempted by federal law, and all health care plans provided by managed health care delivery entities of any type or description, that are delivered, issued for delivery, continued or renewed in this state on or after September 1, 1997, shall provide coverage for formula and low protein modified food products recommended by a physician for the treatment of a patient with phenylketonuria or any inherited disease of amino and organic acids who is covered under the policy, contract, or plan and who is less than six years of age. **The coverage required by this section shall apply even if the formula or low protein modified food products used as treatment for the patient are not the sole source of nourishment for the patient.**

2. For purposes of this section, "low protein modified food products" means foods that are specifically formulated to have less than one gram of protein per serving and are intended to be used under the direction of a physician for the dietary treatment of any

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 inherited metabolic disease. Low protein modified food products do not include foods that
18 are naturally low in protein.

19 3. The coverage required by this section may be subject to the same deductible for
20 similar health care services provided by the policy, contract, or plan as well as a reasonable
21 coinsurance or co-payment on the part of the insured, which shall not be greater than fifty
22 percent of the cost of the formula and food products, and may be subject to an annual benefit
23 maximum of not less than five thousand dollars per covered child. Nothing in this section
24 shall prohibit a carrier from using individual case management or from contracting with
25 vendors of the formula and food products.

26 4. This section shall not apply to a supplemental insurance policy, including a life
27 care contract, accident-only policy, specified disease policy, hospital policy providing a fixed
28 daily benefit only, Medicare supplement policy, long-term care policy, or any other
29 supplemental policy as determined by the director of the department of commerce and
30 insurance.

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