

# SENATE BILL NO. 1407

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR MCCREERY.

3348S.01I

KRISTINA MARTIN, Secretary

## AN ACT

To repeal section 376.1219, RSMo, and to enact in lieu thereof one new section relating to insurance coverage of low protein modified food products.

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

Section A. Section 376.1219, RSMo, is repealed and one  
2 new section enacted in lieu thereof, to be known as section  
3 376.1219, to read as follows:

376.1219. 1. Each policy issued by an entity offering  
2 individual and group health insurance which provides  
3 coverage on an expense-incurred basis, individual and group  
4 health service or indemnity type contracts issued by a  
5 nonprofit corporation, individual and group service  
6 contracts issued by a health maintenance organization, all  
7 self-insured group health arrangements to the extent not  
8 preempted by federal law, and all health care plans provided  
9 by managed health care delivery entities of any type or  
10 description, that are delivered, issued for delivery,  
11 continued or renewed in this state on or after September 1,  
12 1997, shall provide coverage for formula and low protein  
13 modified food products recommended by a physician for the  
14 treatment of a patient with phenylketonuria or any inherited  
15 disease of amino and organic acids who is covered under the  
16 policy, contract, or plan [and who is less than six years of  
17 age].

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

18           2. For purposes of this section, "low protein modified  
19 food products" means foods that are specifically formulated  
20 to have less than one gram of protein per serving and are  
21 intended to be used under the direction of a physician for  
22 the dietary treatment of any inherited metabolic disease.  
23 Low protein modified food products do not include foods that  
24 are naturally low in protein.

25           3. The coverage required by this section may be  
26 subject to the same deductible for similar health care  
27 services provided by the policy, contract, or plan as well  
28 as a reasonable coinsurance or co-payment on the part of the  
29 insured, which shall not be greater than fifty percent of  
30 the cost of the formula and food products, and may be  
31 subject to an annual benefit maximum of not less than five  
32 thousand dollars per covered **[child] person**. Nothing in  
33 this section shall prohibit a carrier from using individual  
34 case management or from contracting with vendors of the  
35 formula and food products.

36           4. This section shall not apply to a supplemental  
37 insurance policy, including a life care contract, accident-  
38 only policy, specified disease policy, hospital policy  
39 providing a fixed daily benefit only, Medicare supplement  
40 policy, long-term care policy, or any other supplemental  
41 policy as determined by the director of the department of  
42 commerce and insurance.

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