

SECOND REGULAR SESSION

HOUSE BILL NO. 1599

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DEEKEN (Sponsor), WHORTON, WILDBERGER, EL-AMIN,
MOORE AND PARKER (Co-sponsors).

Read 1st time January 31, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4631L.02I

AN ACT

To repeal section 376.1219, RSMo, and to enact in lieu thereof one new section relating to health insurance coverage for treatment of inherited metabolic 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Section A. Section 376.1219, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 376.1219, to read as follows: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.] **Every health carrier or health benefit plan that offers or issues health benefit plans that are delivered, issued for delivery, continued, or renewed in this state on or after September 1, 2006, shall provide coverage for amino acid modified medical food formulas and low-protein modified food products for the treatment of inherited metabolic diseases if such**

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.

15 **formulas and products are prescribed for the therapeutic treatment of such diseases and**
16 **are administered under the direction of a licensed physician. Such coverage shall not be**
17 **required for intolerances or food sensitivities.**

18 2. For purposes of this section, **the following terms shall mean:**

19 (1) **"Amino acid modified medical food formula", a product intended for the**
20 **dietary treatment of an inherited metabolic disease under the direction of a licensed**
21 **physician;**

22 (2) **"Health carrier", the same meaning as such term is defined in section 376.1350;**

23 (3) **"Health benefit plan", the same meaning as such term is defined in section**
24 **376.1350;**

25 (4) **"Inherited metabolic disease", a genetic disorder categorized by an abnormality**
26 **in body chemistry, including but not limited to diseases for which the state screens**
27 **newborn babies;**

28 (5) **"Low protein modified food products" [means foods that are specifically formulated**
29 **to have less than one gram of protein per serving and are intended to be used under the direction**
30 **of a physician for the dietary treatment of any inherited metabolic disease. Low protein modified**
31 **food products do not include foods that are naturally low in protein], a product specifically**
32 **formulated to have less than one gram of protein per serving and intended for the dietary**
33 **treatment of an inherited metabolic disease under the direction of a physician. Low**
34 **protein modified food does not include a natural food that is naturally low in protein.**

35 3. The coverage required by this section [may] **shall not** be subject to [the same] **any**
36 **greater deductible [for], coinsurance, or copayment than other** similar health care services
37 provided by the policy, contract, or plan [as well as a reasonable coinsurance or co-payment on
38 the part of the insured, which shall not be greater than fifty percent of the cost of the formula and
39 food products, and], **but** may be subject to an annual benefit maximum of not less than five
40 thousand dollars per covered child **for low protein modified food products and not less than**
41 **twenty-five thousand dollars for amino acid modified medical food formula.** Nothing in this
42 section shall prohibit a carrier from using individual case management or from contracting with
43 vendors of the formula and food products.

44 4. This section shall not apply to a supplemental insurance policy, including a life care
45 contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily
46 benefit only, Medicare supplement policy, long-term care policy, or any other supplemental
47 policy [as determined by the director of the department of insurance].

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