

# MAINE STATE LEGISLATURE

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# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 1215

H.P. 906

House of Representatives, March 22, 2011

### **An Act To Require Health Insurers To Provide Coverage for Nutritional Wellness and Illness Prevention Measures and Products**

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Reference to the Committee on Insurance and Financial Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Clerk

Presented by Representative BOLAND of Sanford.  
Cosponsored by Senator JACKSON of Aroostook and  
Representatives: GUERIN of Glenburn, HARLOW of Portland, LONGSTAFF of Waterville,  
MALONEY of Augusta, NEWENDYKE of Litchfield, O'CONNOR of Berwick.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 24-A MRSA §4319** is enacted to read:

3 **§4319. Coverage for nutritional wellness and illness prevention**

4 **1. Definitions.** As used in this section, unless the context otherwise indicates, the  
5 following terms have the following meanings.

6 A. "Dietary supplement" has the same meaning as in the federal Dietary Supplement  
7 Health and Education Act of 1994.

8 B. "Nutritional wellness and illness prevention measures" means nutritional  
9 measures and products, including dietary supplements, whose primary purposes are  
10 to enhance health, improve nutritional intake, strengthen the immune system, cleanse  
11 the body of toxins, address specific health needs and aid in resisting disease.

12 **2. Required coverage.** A carrier shall provide coverage and reimburse for  
13 nutritional wellness and illness prevention measures that have been shown to be  
14 beneficial to an enrollee's health when used as directed by the manufacturer or  
15 manufacturer's representative and are recommended by the enrollee's physician.

16 **3. Application.** The requirements of this section apply to all policies, contracts and  
17 certificates executed, delivered, issued for delivery, continued or renewed in this State.  
18 For purposes of this section, all contracts are deemed to be renewed no later than the next  
19 yearly anniversary of the contract date.

20 **Sec. 2. Application.** The requirements of this Act apply to all policies, contracts  
21 and certificates executed, delivered, issued for delivery, continued or renewed in this  
22 State on or after January 1, 2012. For purposes of this Act, all contracts are deemed to be  
23 renewed no later than the next yearly anniversary of the contract date.

24 **SUMMARY**

25 The purpose of this bill is to improve health, reduce health care usage and costs and  
26 help prevent disease through nutritional wellness and illness prevention measures and  
27 allow for nonpharmacological health care alternatives for enrollees who choose them.  
28 The bill requires that health insurance policies provide coverage for nutritional wellness  
29 and illness prevention measures that are shown to be beneficial to the enrollee and are  
30 recommended by the enrollee's physician. The bill applies to all individual and group  
31 policies issued or renewed on or after January 1, 2012.