### MAINE STATE LEGISLATURE

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	L.D. 536
2	DATE: 6/14/95 (Filing No. H- 468)
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	MAJORITY
6	BANKING AND INSURANCE
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10	Reproduced and distributed under the direction of the Clerk of the House.
12	CTEATER OF MAINE
14	STATE OF MAINE HOUSE OF REPRESENTATIVES 117TH LEGISLATURE FIRST REGULAR SESSION
16	FIRST REGULAR SESSION
18	COMMITTEE AMENDMENT "H" to H.P. 401, L.D. 536, Bill, "An
20	Act to Require Insurers to Reimburse Insureds with Inborn Errors of Metabolism"
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24	Amend the bill by striking out all of the emergency preamble.
24	Further amend the bill by striking out everything after the
26	enacting clause and before the statement of fact and inserting in
20	its place the following:
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	Sec. 1. 24 MRSA §2320-C is enacted to read:
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	§2320-C. Medical food coverage for inborn error of metabolism
32	
	<ol> <li>Inborn error of metabolism; special modified low-protein</li> </ol>
34	food product. As used in this section, "inborn error of
	metabolism" means a genetically determined biochemical disorder
36	in which a specific enzyme defect produces a metabolic block that
2.0	may have pathogenic consequences at birth or later in life. As
38	used in this section, "special modified low-protein food product" means food formulated to reduce the protein content to less than
40	one gram of protein per serving and does not include foods
40	naturally low in protein.
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2. Required coverage. All individual and group nonprofit medical services plan policies and contracts and all nonprofit health care plan policies and contracts must provide coverage for metabolic formula and special modified low-protein food products that have been prescribed by a licensed physician for a person with an inborn error of metabolism. The policies and contracts must reimburse:

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A. For metabolic formula; and

Page 1-LR0634(2)

## COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "H" to H.P. 401, L.D. 53	COMMITTEE	AMENDMENT	<i>f</i> }	to	H.P.	401,	L.D.	536
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B. Up to \$3,000 per year for special modified low-protein
food products.
3. Application. The requirements of this section apply to
all policies, contracts and certificates executed, delivered,
issued for delivery, continued or renewed in this State on or
after January 1, 1996. For purposes of this section, all
contracts are deemed to be renewed no later than the next yearly
anniversary of the contract date.
anniversary or the contract date.
Sec. 2. 24-A MRSA §2745-C is enacted to read:
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§2745-C. Medical food coverage for inborn error of metabolism
32/43-C. Medical food coverage for import effor or mecanorism
1. Inborn error of metabolism; special modified low-protein
food product. As used in this section, "inborn error of
metabolism" means a genetically determined biochemical disorder
in which a specific enzyme defect produces a metabolic block that
may have pathogenic consequences at birth or later in life. As
used in this section, "special modified low-protein food product'
means food formulated to reduce the protein content to less than
one gram of protein per serving and does not include foods
naturally low in protein.
2. Required coverage. All individual insurance policies
and contracts, except accidental injury, specified disease,
hospital indemnity, Medicare supplement, long-term care and other
limited benefit health insurance policies and contracts, must
provide coverage for metabolic formula and special modified
low-protein food products that have been prescribed by a licensed
physician for a person with an inborn error of metabolism. The
policies and contracts must reimburse:
POTTOTO AND CONCLUDED INVOCATION AND CONTRACTOR
A. For metabolic formula; and
A. TOT MCCAPOTIC TOTMATA, AMA
B. Up to \$3,000 per year for special modified low-protein
food products.
100d products.
2 Application The requirements of this section apply to
3. Application. The requirements of this section apply to
all policies, contracts and certificates executed, delivered
issued for delivery, continued or renewed in this State on or
after January 1, 1996. For purposes of this section, al
contracts are deemed to be renewed no later than the next yearly
anniversary of the contract date.
Sec. 3. 24-A MRSA §2837-C is enacted to read:

Page 2-LR0634(2)

§2837-C. Medical food coverage for inborn error of metabolism

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	COMMITTEE AMENDMENT "H" to H.P. 401, L.D. 536
	1. Inborn error of metabolism; special modified low-protein
2	food product. As used in this section, "inborn error of
	metabolism" means a genetically determined biochemical disorder
4	in which a specific enzyme defect produces a metabolic block that
_	may have pathogenic consequences at birth or later in life. As
6	used in this section, "special modified low-protein food product"
_	means food formulated to reduce the protein content to less than
8	one gram of protein per serving and does not include foods
	naturally low in protein.
10	
	<ol><li>Required coverage. All group insurance policies and</li></ol>
12	contracts, except accidental injury, specified disease, hospital
	indemnity, Medicare supplement, long-term care and other limited
14	benefit health insurance policies and contracts, must provide
	coverage for metabolic formula and special modified low-protein
16	food products that have been prescribed by a licensed physician
	for a person with an inborn error of metabolism. The policies
18	and contracts must reimburse:
20	A. For metabolic formula; and

- 22 B. Up to \$3,000 per year for special modified low-protein food products.
- 3. Application. The requirements of this section apply to 26 all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or 28 after January 1, 1996. For purposes of this section, all contracts are deemed to be renewed no later than the next yearly 30 anniversary of the contract date.
  - Sec. 4. 24-A MRSA §4237 is enacted to read:

#### §4237. Medical food coverage for inborn error of metabolism

- 1. Inborn error of metabolism; special modified low-protein food product. As used in this section, "inborn error of metabolism" means a genetically determined biochemical disorder in which a specific enzyme defect produces a metabolic block that may have pathogenic consequences at birth or later in life. As used in this section, "special modified low-protein food product" means food formulated to reduce the protein content to less than one gram of protein per serving and does not include foods naturally low in protein.
- 2. Required coverage. All health maintenance organization individual and group contracts must provide coverage for metabolic formula and special modified low-protein food products that have been prescribed by a licensed physician for a person with an inborn error of metabolism. The contracts must reimburse:

Page 3-LR0634(2)

## COMMITTEE AMENDMENT

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Α.	For	me	tabol:	ic f	ormula	a; and

B. Up to \$3,000 per year for special modified low-protein food products.

3. Application. The requirements of this section apply to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 1996. For purposes of this section, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.'

Further amend the bill by inserting at the end before the statement of fact the following:

#### FISCAL NOTE

Requiring health insurance policies to cover certain costs related to inborn errors of metabolism will result in minimal costs to the State's employee health insurance program and will not appreciably affect rates.'

#### STATEMENT OF FACT

This amendment is the majority report. This amendment replaces the original bill and requires all health insurance policies in the State to reimburse for the costs of metabolic formula and special modified low-protein food products prescribed by a physician for persons with inborn errors of metabolism, such as phenylketonuria.

The amendment exempts accidental injury, specified disease, hospital indemnity, Medicare supplement, long-term care and other limited benefit health insurance policies.

The amendment removes the emergency preamble and emergency clause from the bill. The amendment applies to health insurance policies issued or renewed on or after January 1, 1996.

The amendment adds a fiscal note to the bill.