

MAINE STATE LEGISLATURE

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MINORITY
BANKING AND INSURANCE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
117TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "b" to H.P. 401, L.D. 536, Bill, "An Act to Require Insurers to Reimburse Insureds with Inborn Errors of Metabolism"

Amend the bill by striking out all of the emergency preamble.

Further amend the bill by striking out everything after the enacting clause and before the statement of fact and inserting in its place the following:

Sec. 1. 24 MRSA §2320-C is enacted to read:

§2320-C. Metabolic formula coverage for inborn error of metabolism

1. Inborn error of metabolism. 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.

2. Required coverage. All individual and group nonprofit medical services plan contracts and policies and all nonprofit health care plan contracts and policies must provide coverage for metabolic formula that has been prescribed by a licensed physician for a person with an inborn error of metabolism. The policies and contracts must reimburse for metabolic formula.

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

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2 after January 1, 1996. For purposes of this section, all
contracts are deemed to be renewed no later than the next yearly
4 anniversary of the contract date.

6 Sec. 2. 24-A MRSA §2745-C is enacted to read:

8 **§2745-C. Metabolic formula coverage for inborn error of
metabolism**

10 **1. Inborn error of metabolism.** As used in this section,
"inborn error of metabolism" means a genetically determined
12 biochemical disorder in which a specific enzyme defect produces a
metabolic block that may have pathogenic consequences at birth or
14 later in life.

16 **2. Required coverage.** All individual insurance policies
and contracts, except accidental injury, specified disease,
18 hospital indemnity, Medicare supplement, long-term care and other
limited benefit health insurance policies and contracts, must
20 provide coverage for metabolic formula that has been prescribed
by a licensed physician for a person with an inborn error of
22 metabolism. The policies and contracts must reimburse for
metabolic formula.

24 **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.

32 Sec. 3. 24-A MRSA §2837-C is enacted to read:

34 **§2837-C. Metabolic formula coverage for inborn error of
metabolism**

36 **1. Inborn error of metabolism.** As used in this section,
"inborn error of metabolism" means a genetically determined
38 biochemical disorder in which a specific enzyme defect produces a
metabolic block that may have pathogenic consequences at birth or
40 later in life.

42 **2. Required coverage.** All group insurance policies and
44 contracts, except accidental injury, specified disease, hospital
indemnity, Medicare supplement, long-term care and other limited
46 benefit health insurance policies and contracts, must provide
coverage for metabolic formula that has been prescribed by a
48 licensed physician for a person with an inborn error of
metabolism. The policies and contracts must reimburse for
50 metabolic formula.

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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.

Sec. 4. 24-A MRS §4237 is enacted to read:

§4237. Metabolic formula coverage for inborn error of metabolism

1. Inborn error of metabolism. 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.

2. Required coverage. All health maintenance organization individual and group contracts must provide coverage for metabolic formula that has been prescribed by a licensed physician for a person with an inborn error of metabolism. The contracts must reimburse for metabolic formula.

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 minority report and requires all health insurance policies in the State to reimburse for the costs of metabolic formula prescribed by a physician for persons with inborn errors of metabolism, such as phenylketonuria.

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

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

10 The amendment adds a fiscal note to the bill.