

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**  
**ONE HUNDRED AND SEVENTEENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 7, 1994 to June 30, 1995**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 29, 1995**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**1995**

Personal Services	19,676	18,857
Provides for the allocation of funds through the transfer of 50% funding of one Accountant III position from the Administration - Defense and Veterans Services program.		
<b>DEPARTMENT OF DEFENSE AND VETERANS' SERVICES TOTAL</b>	19,676	18,857
<b>HUMAN SERVICES, DEPARTMENT OF Aid to Families with Dependent Children</b>		
All Other	862,697	3,449,591
Provides for the allocation of funds to offset a deallocation in Part B, section 3 in order to maintain gap payments.		
<b>DEPARTMENT OF HUMAN SERVICES TOTAL</b>	862,697	3,449,591
<b>SECTION TOTAL ALLOCATIONS</b>	\$882,373	\$3,468,448

**Emergency clause.** In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective June 29, 1995.

**CHAPTER 369**

**H.P. 401 - L.D. 536**

**An Act to Require Insurers to Reimburse Insureds with Inborn Errors of Metabolism**

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

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

**§2320-C. 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 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:

A. For metabolic formula; 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.

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

**§2745-C. 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 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:

- A. For metabolic formula; 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.

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

**§2837-C. 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 group 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:

- A. For metabolic formula; 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.

**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:

- A. For metabolic formula; 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.

See title page for effective date.

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**CHAPTER 370**

**H.P. 307 - L.D. 411**

**An Act to Repeal the Laws  
Regarding Consumer Information  
Pamphlets**

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

**Sec. 1. 32 MRSA §59-A**, as enacted by PL 1993, c. 600, Pt. A, §26, is repealed.

**Sec. 2. 32 MRSA §2429**, as repealed and replaced by PL 1993, c. 600, Pt. A, §158, is repealed.

**Sec. 3. 32 MRSA §2599-B**, as enacted by PL 1993, c. 600, Pt. A, §194, is repealed.

**Sec. 4. 32 MRSA §3299-A**, as enacted by PL 1993, c. 600, Pt. A, §226, is repealed.

See title page for effective date.

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