

FIRST REGULAR SESSION

SENATE BILL NO. 354

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SATER.

Read 1st time January 29, 2015, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1251S.02I

AN ACT

To amend chapter 376, RSMo, by adding thereto one new section relating to insurance coverage for amino acid-based elemental formulas.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 376, RSMo, is amended by adding thereto one new section, to be known as section 376.1221, to read as follows:

376.1221. 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, 2015, shall provide coverage for amino acid-based elemental formulas recommended by a physician, regardless of delivery method, for the treatment of a patient with immunoglobulin E and non-immunoglobulin E mediated allergies to multiple food proteins, food protein induced enterocolitis syndrome, eosinophilic disorders, and impaired absorption of nutrients caused by disorders affecting the absorptive surface, functional length, and motility of the gastrointestinal tract who is covered under the policy, contract, or plan.

2. For purposes of this section, "amino acid-based elemental formulas" means formulas made from single non-allergenic amino acids.

3. The coverage required by this section may be subject to the same deductible for similar health care services provided by the policy,

22 contract, or plan as well as a reasonable coinsurance or copayment on
23 the part of the insured, which shall not be greater than fifty percent of
24 the cost of the formula, and may be subject to an annual benefit
25 maximum of not less than five thousand dollars per covered
26 child. Nothing in this section shall prohibit a carrier from using
27 individual case management or from contracting with vendors of the
28 formula and food products.

29 4. This section shall not apply to a supplemental insurance
30 policy, including a life care contract, accident-only policy, specified
31 disease policy, hospital policy providing a fixed daily benefit only,
32 Medicare supplement policy, long-term care policy, or any other
33 supplemental policy as determined by the director of the department
34 of insurance, financial institutions and professional registration.

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