C3 8lr1050

By: Delegates Pena-Melnyk, Mizeur, Benson, Bromwell, Costa, Donoghue, Dumais, Elliott, Feldman, Gutierrez, Guzzone, Heller, Kaiser, Kipke, Montgomery, Nathan-Pulliam, Oaks, Reznik, Rice, Tarrant, F. Turner, V. Turner, Waldstreicher, and Weldon

Introduced and read first time: January 31, 2008 Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

Health Insurance - Coverage for Amino Acid-Based Elemental Formula

- FOR the purpose of requiring certain insurers, nonprofit health service plans, and health maintenance organizations to provide coverage for amino acid-based elemental formula for the diagnosis and treatment of certain allergies, syndromes, and conditions under certain circumstances; providing for the application of this Act; and generally relating to requiring health insurance coverage for amino acid-based elemental formula.
- 9 BY adding to

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- 10 Article Health General
- 11 Section 19–706(ppp)
- 12 Annotated Code of Maryland
- 13 (2005 Replacement Volume and 2007 Supplement)
- 14 BY adding to
- 15 Article Insurance
- 16 Section 15–843
- 17 Annotated Code of Maryland
- 18 (2006 Replacement Volume and 2007 Supplement)
- 19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 20 MARYLAND, That the Laws of Maryland read as follows:
- 21 Article Health General
- 22 19–706.

$\frac{1}{2}$	(PPP) THE PROVISIONS OF § 15–843 OF THE INSURANCE ARTICLE APPLY TO HEALTH MAINTENANCE ORGANIZATIONS.
3	Article - Insurance
4	15–843.
5	(A) THIS SECTION APPLIES TO:
6 7 8 9	(1) INSURERS AND NONPROFIT HEALTH SERVICE PLANS THAT PROVIDE HOSPITAL, MEDICAL, OR SURGICAL BENEFITS TO INDIVIDUALS OR GROUPS ON AN EXPENSE-INCURRED BASIS UNDER HEALTH INSURANCE POLICIES THAT ARE ISSUED OR DELIVERED IN THE STATE; AND
10 11 12	(2) HEALTH MAINTENANCE ORGANIZATIONS THAT PROVIDE HOSPITAL, MEDICAL, AND SURGICAL BENEFITS TO INDIVIDUALS OR GROUPS UNDER CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE.
13 14 15 16 17	(B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A POLICY OR PLAN SUBJECT TO THIS SECTION SHALL INCLUDE, UNDER THE FAMILY MEMBER COVERAGE, COVERAGE FOR AMINO ACID-BASED ELEMENTAL FORMULA, REGARDLESS OF DELIVERY METHOD, FOR THE DIAGNOSIS AND TREATMENT OF:
18 19	(I) IMMUNOGLOBULIN E AND NON-IMMUNOGLOBULIN E MEDIATED ALLERGIES TO MULTIPLE FOOD PROTEINS;
20	(II) FOOD PROTEIN INDUCED ENTEROCOLITIS SYNDROME;
21	(III) EOSINOPHILIC DISORDERS; AND
22 23 24	(IV) IMPAIRED ABSORPTION OF NUTRIENTS CAUSED BY DISORDERS AFFECTING THE ABSORPTIVE SURFACE, FUNCTIONAL LENGTH, AND MOTILITY OF THE GASTROINTESTINAL TRACT.
25 26 27 28	(2) THE COVERAGE REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION IS REQUIRED IF THE ORDERING PHYSICIAN HAS ISSUED A WRITTEN ORDER STATING THAT THE AMINO ACID-BASED ELEMENTAL FORMULA IS MEDICALLY NECESSARY FOR THE TREATMENT OF A DISEASE OR DISORDER.
29 30	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all policies, contracts, and health benefit plans issued, delivered, or renewed in the

State on or after October 1, 2008.

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SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2008.