

SENATE No. 1794

The Commonwealth of Massachusetts

SENATE, December 30, 1992.

The committee on Ways and Means, to whom was committed the Senate Bill relative to enhancing certain health care coverage (Senate, No. 1742), reports recommending that the same ought to pass, with an amendment, substituting a new draft entitled "An Act mandating insurance coverage for inborn errors of amino acids and organic acids, such as PKU" (Senate, No. 1794).

For the committee,

MATTHEW J. AMORELLO.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Two.

AN ACT MANDATING INSURANCE COVERAGE FOR INBORN ERRORS OF AMINO ACIDS AND ORGANIC ACIDS, SUCH AS PKU.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 175 of the General Laws is hereby
2 amended by striking out section 47I, as appearing in the 1990
3 Official Edition, and inserting in place thereof the following
4 section: —

5 Section 47I. Any individual policy of accident and sickness
6 insurance issued pursuant to section one hundred and eight, and
7 any group blanket policy of accident and sickness insurance issued
8 pursuant to section one hundred and ten, shall provide coverage
9 for nonprescription enteral formulas for home use for which a
10 physician has issued a written order and which are medically
11 necessary for the treatment of malabsorption caused by Crohn's
12 disease, ulcerative colitis, gastroesophageal reflux, gastrointesti-
13 nal motility, chronic intestinal pseudo-obstruction, inborn errors
14 of amino acids and organic acids. Coverage for inborn errors of
15 amino acids and organic acids shall include low protein foods for
16 which a physician has issued a written order and which are
17 medically necessary in an amount not to exceed \$1,500.00
18 annually for any insured individual. Coverage shall also apply to
19 the unborn fetuses of pregnant women with such disorders.

1 SECTION 2. Chapter 176A of the General Laws is hereby
2 amended by striking out Section 8L, as so appearing, and
3 inserting in place thereof the following section: —

4 Section 8L. Any contract between a subscriber and the corpo-
5 ration under an individual or group hospital service plan that shall
6 be delivered, issued or renewed in the commonwealth shall
7 provide, as benefits to all individual subscribers and members
8 within the commonwealth and to all group members having a

9 principal place of employment within the commonwealth,
10 coverage for nonprescription enteral formulas for home use for
11 which a physician has issued a written order and which are
12 medically necessary for the treatment of malabsorption caused by
13 Crohn's disease, ulcerative colitis, gastroesophageal reflux,
14 gastrointestinal motility, chronic intestinal pseudo-obstruction,
15 inborn errors of amino acids and organic acids. Coverage for
16 inborn errors of amino acids and organic acids shall include low
17 protein foods for which a physician has issued a written order and
18 which are medically necessary in an amount not to exceed
19 \$1,500.00 annually for any insured individual. Coverage shall also
20 apply to the unborn fetuses of pregnant women with such
21 disorders.

1 SECTION 3. Chapter 176B of the General Laws is hereby
2 amended by striking out section 4K, as so appearing, and inserting
3 in place thereof the following section: —

4 Section 4K. Any subscription certificate under an individual or
5 group medical service agreement that shall be delivered, issued
6 or renewed in the Commonwealth shall provide, as benefits to all
7 individual subscribers and members within the Commonwealth,
8 and all persons included in Section four C, coverage for
9 nonprescription enteral formulas for home use for which a
10 physician has issued a written order and which are medically
11 necessary for the treatment of malabsorption caused by Crohn's
12 disease, ulcerative colitis, gastroesophageal reflux, gastrointesti-
13 nal motility, chronic intestinal pseudo-obstruction, inborn errors
14 of amino acids and organic acids. Coverage for inborn errors of
15 amino acids and organic acids shall include low protein foods for
16 which a physician has issued a written order and which are
17 medically necessary in an amount not to exceed \$1,500.00
18 annually for any insured individual. Coverage shall also apply to
19 the unborn fetuses of pregnant women with such disorders.

1 SECTION 4. Chapter 176G of the General Laws is hereby
2 amended by striking out section 4D and inserting in place thereof
3 the following section: —

4 Section 4D. Any group health maintenance contract shall
5 provide coverage for nonprescription enteral formulas for home

6 use for which a physician has issued a written order and which
7 are medically necessary for the treatment of malabsorption caused
8 by Crohn's disease, ulcerative colitis, gastroesophageal reflux,
9 gastrointestinal motility, chronic intestinal pseudo-obstruction,
10 inborn errors of amino acids and organic acids. Coverage for
11 inborn errors of amino acids and organic acids shall include low
12 protein foods for which a physician has issued a written order and
13 which are medically necessary in an amount not to exceed
14 \$1,500.00 annually for any insured individual. Coverage shall also
15 apply to the unborn fetuses of pregnant women with such
16 disorders.