

House Amendment 1416

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1 1 Amend Senate File 360, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 10, by inserting after line 15, the
1 4 following:
1 5 <Sec. _____. NEW SECTION. 514C.22 ENTERAL FORMULAS
1 6 == COVERAGE.
1 7 1. Except as provided in subsections 4 and 5, and
1 8 notwithstanding the uniformity of treatment
1 9 requirements of section 514C.6, a policy or contract
1 10 providing for third-party payment or prepayment of
1 11 health or medical expenses shall not exclude or
1 12 restrict benefits for enteral formulas for home use
1 13 for which a practitioner licensed by law to prescribe
1 14 and administer prescription drugs has issued a written
1 15 order, if such policy or contract provides benefits
1 16 for other outpatient prescription drugs or devices.
1 17 Such written order must state that the enteral formula
1 18 is medically necessary for the patient.
1 19 2. For purposes of this section, "enteral formula"
1 20 means enteral formulas which have been proven
1 21 effective for the treatment of inborn errors of
1 22 metabolism with a dietary restriction, which if left
1 23 untreated will cause malnourishment, chronic physical
1 24 disability, mental retardation, or death. "Enteral
1 25 formula" includes low-protein medical food and
1 26 metabolic formula prescribed for persons diagnosed
1 27 with inborn errors of metabolism with a dietary
1 28 restriction. The commissioner, by rule, shall further
1 29 define enteral formula.
1 30 3. a. This section applies to the following
1 31 classes of third-party payment provider contracts or
1 32 policies delivered, issued for delivery, continued, or
1 33 renewed in this state on or after July 1, 2005:
1 34 (1) Individual or group accident and sickness
1 35 insurance providing coverage on an expense-incurred
1 36 basis.
1 37 (2) Any individual or group hospital or medical
1 38 service contract issued pursuant to chapter 509, 514,
1 39 or 514A.
1 40 (3) Any individual or group health maintenance
1 41 organization contract regulated under chapter 514B.
1 42 (4) A plan established pursuant to chapter 509A
1 43 for public employees.
1 44 (5) An organized delivery system licensed by the
1 45 director of public health.
1 46 b. This section shall not apply to accident only,
1 47 specified disease, short-term hospital or medical,
1 48 hospital confinement indemnity, credit, dental,
1 49 vision, Medicare supplement, long-term care, basic
1 50 hospital and medical-surgical expense coverage as
2 1 defined by the commissioner, disability income
2 2 insurance coverage, coverage issued as a supplement to
2 3 liability insurance, workers' compensation or similar
2 4 insurance, or automobile medical payment insurance.
2 5 4. An individual or group policy, contract, or
2 6 plan subject to the requirements of this section shall
2 7 at a minimum provide an aggregate annual limit for
2 8 enteral formula coverage benefits of not less than ten
2 9 thousand dollars per year for each family covered, not
2 10 including deductibles, coinsurance, or copayments.
2 11 The policy, contract, or plan may include deductibles,
2 12 coinsurance, or copayments, provided that the amounts
2 13 and extent of such deductibles, coinsurance, or
2 14 copayments are the same as those applicable to other
2 15 health, medical, or surgical services coverage under
2 16 the policy, contract, or plan.>
2 17 #2. Title page, line 5, by inserting after the
2 18 word <applications,> the following: <health insurance
2 19 coverage for certain enteral formulas,>.
2 20 #3. By renumbering as necessary.
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2 24 _____
PETERSEN of Polk

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