

**Senate File 453 - Introduced**

SENATE FILE 453  
BY CELSI

**A BILL FOR**

1 An Act relating to third-party payment of coverage benefits for  
2 medical food, and including applicability provisions.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 514C.35 Medical food — coverage.

2 1. As used in this section, unless the context otherwise  
3 requires:

4 a. "*Enteral nutrition*" means to provide food to an  
5 individual through a tube placed in the individual's nose,  
6 stomach, or small intestine.

7 b. "*Gastromony feeding tube*" means a tube that goes through  
8 an individual's skin into the individual's stomach for purposes  
9 of enteral nutrition.

10 c. "*Health care professional*" means the same as defined in  
11 section 514J.102.

12 d. "*Jejunostomy feeding tube*" means a tube that goes into an  
13 individual's small intestine for purposes of enteral nutrition.

14 e. "*Medical food*" means a food which is formulated to  
15 be consumed or administered as enteral nutrition under the  
16 supervision of a health care professional, or at the direction  
17 of a health care professional, and which is intended for the  
18 specific dietary management of a disease or condition for which  
19 distinctive nutritional requirements, based on recognized  
20 scientific principles, are established by medical evaluation.

21 f. "*Nasoenteral feeding tube*" or "*nasogastric feeding tube*"  
22 means a tube that goes into an individual's nose for purposes  
23 of enteral nutrition.

24 2. Notwithstanding the uniformity of treatment requirements  
25 of section 514C.6, a policy, contract, or plan providing  
26 for third-party payment or prepayment of health or medical  
27 expenses shall provide coverage benefits for medical food that  
28 is administered or consumed via a gastronomy feeding tube, a  
29 jejunostomy feeding tube, a nasoenteral feeding tube, or a  
30 nasogastric feeding tube.

31 3. This section applies to the following classes of  
32 third-party payment provider policies, contracts, or plans  
33 delivered, issued for delivery, continued, or renewed in this  
34 state on or after January 1, 2020:

35 a. Individual or group accident and sickness insurance

1 providing coverage on an expense-incurred basis.

2 *b.* An individual or group hospital or medical service  
3 contract issued pursuant to chapter 509, 514, or 514A.

4 *c.* An individual or group health maintenance organization  
5 contract regulated under chapter 514B.

6 *d.* A plan established pursuant to chapter 509A for public  
7 employees.

8 4. This section shall not apply to accident-only,  
9 specified disease, short-term hospital or medical, hospital  
10 confinement indemnity, credit, dental, vision, Medicare  
11 supplement, long-term care, basic hospital and medical-surgical  
12 expense coverage as defined by the commissioner, disability  
13 income insurance coverage, coverage issued as a supplement  
14 to liability insurance, workers' compensation or similar  
15 insurance, or automobile medical payment insurance.

16 5. The commissioner of insurance shall adopt rules pursuant  
17 to chapter 17A as necessary to administer this section.

18 EXPLANATION

19 The inclusion of this explanation does not constitute agreement with  
20 the explanation's substance by the members of the general assembly.

21 This bill relates to third-party payment of coverage  
22 benefits for medical food.

23 The bill defines "medical food" as a food which is  
24 formulated to be consumed or administered as enteral nutrition  
25 under the supervision of a health care professional, or at  
26 the direction of a health care professional, and which is  
27 intended for the specific dietary management of a disease or  
28 condition for which distinctive nutritional requirements, based  
29 on recognized scientific principles, are established by medical  
30 evaluation. "Enteral nutrition" is defined in the bill as  
31 providing food to an individual through a tube placed in the  
32 individual's nose, stomach, or small intestine.

33 The bill requires a health insurer to provide coverage  
34 benefits for medical food that is consumed or administered  
35 via a gastronomy feeding tube, a jejunostomy feeding tube,

1 a nasoenteral feeding tube, or a nasogastric feeding tube.  
2 "Gastronomy feeding tube", "jejunostomy feeding tube",  
3 "nasoenteral feeding tube", and "nasogastric feeding tube" are  
4 defined in the bill.

5 The bill requires the commissioner of insurance to adopt  
6 rules to administer the Code section.

7 The bill is applicable to third-party payment provider  
8 policies, contracts, or plans delivered, issued for delivery,  
9 continued, or renewed in this state on or after January 1,  
10 2020, including individual or group accident and sickness  
11 insurance providing coverage on an expense-incurred basis, an  
12 individual or group hospital or medical service contract issued  
13 pursuant to Code chapter 509, 514, or 514A, an individual or  
14 group health maintenance organization contract regulated under  
15 Code chapter 514B, and a plan established pursuant to Code  
16 chapter 509A for public employees.

17 The bill does not apply to accident-only, specified disease,  
18 short-term hospital or medical, hospital confinement indemnity,  
19 credit, dental, vision, Medicare supplement, long-term care,  
20 basic hospital and medical-surgical expense coverage as defined  
21 by the commissioner, disability income insurance coverage,  
22 coverage issued as a supplement to liability insurance,  
23 workers' compensation or similar insurance, or automobile  
24 medical payment insurance.