

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill by striking everything after the enacting clause and before the summary and inserting in the following:

‘**Sec. 1. 24 MRSA §2317-B, sub-§12-B** is enacted to read:

12-B. Title 24-A, sections 2762, 2847-M and 4253. Coverage for medically necessary infant formula, Title 24-A, sections 2762, 2847-M and 4253;

Sec. 2. 24-A MRSA §2762 is enacted to read:

§ 2762. Coverage for medically necessary infant formula

1. Required coverage. All individual health insurance policies, contracts and certificates must provide coverage for amino acid-based elemental infant formula, regardless of the delivery method, that has been authorized by a licensed physician when determined to be medically necessary health care as defined in section 4301-A, subsection 10-A for the treatment of food protein allergies and intolerances, disorders affecting the gastrointestinal tract and other medically diagnosed conditions. The policies, contracts and certificates must reimburse for amino acid-based elemental infant formula up to \$6,000 per year. The policy may require prior authorization for coverage required by this section, but may not impose any other limitation, deductible, copayment or coinsurance.

2. Application. The requirements of this section apply to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after the effective date of this section. For purposes of this section, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

Sec. 3. 24-A MRSA §2847-M is enacted to read:

§ 2847-M. Coverage for medically necessary infant formula

1. Required coverage. All group health insurance policies, contracts and certificates must provide coverage for amino acid-based elemental infant formula, regardless of the delivery method, that has been authorized by a licensed physician when determined to be medically necessary health care as defined in section 4301-A, subsection 10-A for the treatment of food protein allergies and intolerances, disorders affecting the gastrointestinal tract and other medically diagnosed conditions. The policies, contracts and certificates must reimburse for amino acid-based elemental infant formula up to \$6,000 per year. The policy may require prior authorization for coverage required by this section, but may not impose any other limitation, deductible, copayment or coinsurance.

2. Application. The requirements of this section apply to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after the effective date of this section. For purposes of this section, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

Sec. 4. 24-A MRS §4253 is enacted to read:

§ 4253. Coverage for medically necessary infant formula

1. Required coverage. All individual and group health maintenance organization policies, contracts and certificates must provide coverage for amino acid-based elemental infant formula, regardless of the delivery method, that has been authorized by a licensed physician when determined to be medically necessary health care as defined in section 4301-A, subsection 10-A for the treatment of food protein allergies and intolerances, disorders affecting the gastrointestinal tract and other medically diagnosed conditions. The policies, contracts and certificates must reimburse for amino acid-based elemental infant formula up to \$6,000 per year. The policy may require prior authorization for coverage required by this section, but may not impose any other limitation, deductible, copayment or coinsurance.

2. Application. The requirements of this section apply to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after the effective date of this section. For purposes of this section, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

Sec. 5. Application. This Act applies to health insurance policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2008. For purposes of this Act, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

Sec. 6. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Salary Plan 0305

Initiative: Appropriates and allocates funds for the additional costs of health insurance to the State resulting from the requirement to provide coverage for medically necessary amino acid-based elemental infant formulas.

GENERAL FUND	2007-08	2008-09
Personal Services	\$0	\$36,810
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GENERAL FUND TOTAL	\$0	\$36,810
HIGHWAY FUND	2007-08	2008-09
Personal Services	\$0	\$14,220
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HIGHWAY FUND TOTAL	\$0	\$14,220

SUMMARY

This amendment replaces the bill. The amendment requires health insurance carriers to provide coverage for medically necessary amino acid-based elemental infant formulas, regardless of the delivery method, for the treatment of food protein allergies and intolerances, gastrointestinal disorders and other medically diagnosed conditions in individual and group policies, contracts and certificates. Coverage must be provided for up to \$6,000 per year. The amendment applies to all policies and contracts issued or renewed on or after January 1, 2008.

FISCAL NOTE REQUIRED

(See attached)