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An Act To Require Health Insurers To Provide Coverage for Nutritional Wellness and Prevention Measures and Products

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 24-A MRSA §4316 is enacted to read:

§ 4316. Coverage for nutritional wellness and prevention

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Dietary supplement" has the same meaning as in the federal Dietary Supplement Health and Education Act of 1994 and means a product, other than tobacco, that:

(1) Is intended to supplement the diet and contains one or more dietary ingredients, including, but not limited to, vitamins, minerals, herbs, botanicals, amino acids, concentrates, metabolites, extracts and other substances and their constituents;

(2) Is intended for ingestion in pill, capsule, tablet or liquid form;

(3) Is not represented for use as a conventional food or the sole item of a meal or diet; and

(4) Is labeled as a dietary supplement.

B. "Nutritional wellness and prevention" means nutritional measures and products, including dietary supplements, whose primary purposes are to enhance health, improve nutritional intake, strengthen the immune system, cleanse the body of toxins, address specific health needs and aid in resisting disease.

2. Required coverage. A carrier shall provide coverage and reimburse for nutritional wellness and prevention measures that have been shown to be beneficial to an enrollee's health when used as directed by the manufacturer or manufacturer's representative and recommended by the enrollee's physician.

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

Sec. 2. Application. The requirements of this Act apply to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2010. For purposes of this Act, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

SUMMARY

The purpose of this bill is to improve health, reduce health care usage and costs and help prevent disease through nutritional wellness and prevention measures and allow for nonpharmacological alternatives to enrollees who choose them. The bill requires that health insurance policies provide coverage for nutritional wellness and prevention that is shown to be beneficial to the enrollee and recommended by the enrollee's physician. The bill applies to all individual and group policies issued or renewed on or after January 1, 2010.