

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 out the title and substituting the following:

**'An Act To Require Health Insurers To Provide Coverage
for Certain Medically Necessary Liquid Nutrition Therapy'**

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

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

§ 4316. Coverage for liquid nutrition therapy

1. Required coverage. A carrier shall provide coverage and reimburse for liquid nutrition therapy for home use that is medically necessary health care as defined in section 4301-A, subsection 10-A and prescribed by the enrollee's physician. A licensed physician may be required to confirm and document ongoing medical necessity at least annually.

2. Required diagnosis. Coverage for liquid nutrition therapy must be provided when proven effective as a disease-specific regimen for an enrollee diagnosed through medical evaluation with a chronic illness or condition, including but not limited to:

- A. Crohn's disease;
- B. Disorders of gastrointestinal motility such as chronic intestinal pseudo-obstruction;
- C. Gastroesophageal reflux disease with failure to thrive;
- D. Severe food allergies that if left untreated will cause malnourishment, chronic physical disability, mental retardation or death; or
- E. Fibromyalgia.

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.

Sec. 3. Exempt from Bureau of Insurance review. Notwithstanding the Maine Revised Statutes, Title 24-A, section 2752, this Act is enacted without review and evaluation by the Department of Professional and Financial Regulation, Bureau of Insurance.

'An Act To Require Health Insurers To Provide Coverage for Certain Medically Necessary Liquid Nutrition Therapy'

Sec. 4. 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 liquid nutrition therapy for persons with a chronic illness.

GENERAL FUND	2009-10	2010-11
Personal Services	\$0	\$85,244
GENERAL FUND TOTAL	<hr/>	<hr/>
	\$0	\$85,244

HIGHWAY FUND	2009-10	2010-11
Personal Services	\$0	\$33,937
HIGHWAY FUND TOTAL	<hr/>	<hr/>
	\$0	\$33,937

SUMMARY

This amendment replaces the bill and is the minority report of the committee. The amendment requires health insurance coverage for medically necessary liquid nutrition therapy for persons with chronic illnesses. The amendment applies to all individual and group policies issued or renewed on or after January 1, 2010.

This amendment also adds an appropriations and allocations section.

FISCAL NOTE REQUIRED
(See attached)