



666036

CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: RCS	.	
4/1/2008	.	
	.	
	.	

1 The Committee on Banking and Insurance (Peaden) recommended the  
 2 following **amendment**:

3  
 4 **Senate Amendment (with title amendment)**

5 Delete everything after the enacting clause  
 6 and insert:

7  
 8 Section 1. Section 627.42395, Florida Statutes, is amended  
 9 to read:

10 627.42395 Coverage for certain prescription and  
 11 nonprescription enteral or amino acid formulas.--

12 (1) Notwithstanding any other provision of law, any health  
 13 insurance policy delivered or issued for delivery, to any person  
 14 in this state or any group, blanket, or franchise health  
 15 insurance policy delivered or issued for delivery in this state  
 16 shall make available to the policyholder as part of the  
 17 application, for an appropriate additional premium, coverage for:

Bill No. SB 1598



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18        (a) Prescription and nonprescription enteral formulas for  
19 home use which are physician prescribed as medically necessary  
20 for the treatment of inherited diseases of amino acid, organic  
21 acid, carbohydrate, or fat metabolism as well as malabsorption  
22 originating from congenital defects present at birth or acquired  
23 during the neonatal period. Such coverage for inherited diseases  
24 of amino acids and organic acids shall include food products  
25 modified to be low protein, in an amount not to exceed \$2,500  
26 annually for any insured individual, through the age of 24.

27        (b) Amino-acid-based elemental formulas, regardless of the  
28 method of intake, for the medically necessary treatment of  
29 medically diagnosed conditions of severe multiple food protein  
30 allergies, gastroesophageal reflux, eosinophilic disorders, and  
31 short bowel syndrome when ordered by a licensed physician.  
32 Treatments using amino-acid-based elemental formulas must be  
33 medically necessary and appropriate treatment that is consistent  
34 with the person's symptoms, diagnosis, and condition, and may not  
35 be furnished primarily for the convenience of the person or  
36 provider. Conditions for which these formulas are used in  
37 experimental or investigational services do not meet the  
38 criterion of medical necessity.

39        (2) This section applies to any person or family  
40 notwithstanding the existence of any preexisting condition.

41        Section 2. Subsection (41) is added to section 641.31,  
42 Florida Statutes, to read:

43        641.31 Health maintenance contracts.--

44        (41) A health maintenance contract must make available  
45 coverage of amino-acid-based elemental formulas, regardless of  
46 the method of intake, for the medically necessary treatment of  
47 medically diagnosed conditions such as severe multiple food



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48 protein allergies, gastroesophageal reflux, eosinophilic  
 49 disorders, and short bowel syndrome when ordered by a licensed  
 50 physician. Treatments using amino-acid-based elemental formulas  
 51 must be medically necessary and appropriate treatment that is  
 52 consistent with the person's symptoms, diagnosis, and condition,  
 53 and may not be furnished primarily for the convenience of the  
 54 person or provider. Conditions for which these formulas are used  
 55 in experimental or investigational services do not meet the  
 56 criterion of medical necessity.

57 Section 3. This act shall take effect October 1, 2008.  
 58

59 ===== T I T L E A M E N D M E N T =====

60 And the title is amended as follows:

61 Delete everything before the enacting clause  
 62 and insert:

63 A bill to be entitled  
 64 An act relating to optional coverage of health-related  
 65 disorders; amending ss. 627.42395 and 641.31, F.S.;  
 66 requiring health insurance policies and health maintenance  
 67 contracts in this state to provide additional premium  
 68 coverage for amino-acid-based elemental formulas for the  
 69 treatment of certain medical conditions; providing an  
 70 effective date.