

Representative Carol Spackman Moss proposes the following substitute bill:

COVERAGE FOR EOSINOPHILIC DISORDERS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Carol Spackman Moss

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends the Insurance Code to require health insurance coverage for the use of an amino acid-based elemental formula, regardless of the delivery method of the formula, for the diagnosis or treatment of an eosinophilic gastrointestinal disorder.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires a health benefit plan effective or renewed on or after January 1, 2017, to provide coverage for the use of an amino acid-based elemental formula, regardless of the delivery method of the formula, for the diagnosis or treatment of an eosinophilic gastrointestinal disorder;
- ▶ grants administrative rulemaking authority to the insurance commissioner; and
- ▶ provides that exemptions to insurance coverage mandates for health benefit plans do not apply to the insurance coverage for the use of an amino acid-based formula for the diagnosis or treatment of an eosinophilic gastrointestinal disorder.

Money Appropriated in this Bill:

None

Other Special Clauses:



26 None

27 **Utah Code Sections Affected:**

28 ENACTS:

29 **31A-22-644**, Utah Code Annotated 1953



31 *Be it enacted by the Legislature of the state of Utah:*

32 Section 1. Section **31A-22-644** is enacted to read:

33 **31A-22-644. Insurance coverage for amino acid-based formula.**

34 (1) As used in this section:

35 (a) "Amino acid-based elemental formula" means a nutrition formula:

36 (i) made from individual non-allergenic amino acids that are broken down to enhance
37 absorption and digestion; and

38 (ii) designed for individuals who have a dysfunctional gastrointestinal tract and are
39 unable to tolerate and absorb whole foods or formulas composed of whole proteins, fats, or
40 carbohydrates.

41 (b) (i) "Eosinophilic gastrointestinal disorder" means a disorder characterized by
42 having above normal amounts of eosinophils in one or more specific places anywhere in the
43 digestive system.

44 (ii) "Eosinophilic gastrointestinal disorder" includes:

45 (A) eosinophilic esophagitis;

46 (B) eosinophilic gastritis;

47 (C) eosinophilic gastroenteritis;

48 (D) eosinophilic enteritis; and

49 (E) eosinophilic colitis.

50 (2) Notwithstanding Subsection **31A-22-618.5(2)(b)(i)(D)**, a health benefit plan
51 effective or renewed on or after January 1, 2017, shall provide coverage for the use of an amino
52 acid-based elemental formula, regardless of the delivery method of the formula, for the
53 diagnosis or treatment of an eosinophilic gastrointestinal disorder if prescribed by a physician
54 licensed under Title 58, Chapter 67, Utah Medical Practice Act, or Chapter 68, Utah
55 Osteopathic Medical Practice Act, and if dispensed by a pharmacy licensed under Title 58,
56 Chapter 17b, Utah Pharmacy Practice Act.

57 (3) The commissioner shall make rules, in accordance with Title 63G, Chapter 3, Utah
58 Administrative Rulemaking Act, that set minimum standards for the coverage described in
59 Subsection (2).