

1 **COVERAGE FOR EOSINOPHILIC DISORDERS**

2 2015 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Carol Spackman Moss**

5 Senate Sponsor: _____

6

LONG TITLE

7 **General Description:**

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

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ defines terms;
- 14 ▶ requires a health benefit plan effective or renewed on or after January 1, 2016, to
15 provide coverage for the use of an amino acid-based elemental formula, regardless
16 of the delivery method of the formula, for the diagnosis or treatment of an
17 eosinophilic gastrointestinal disorder;
- 18 ▶ grants administrative rulemaking authority to the insurance commissioner;
- 19 ▶ requires the coverage described in this bill to be similar to, or identical to, the
20 coverage provided for illness or disease; and
- 21 ▶ provides that exemptions to insurance coverage mandates for health benefit plans do
22 not apply to the insurance coverage for the use of an amino acid-based formula for
23 the diagnosis or treatment of an eosinophilic gastrointestinal disorder.

24 **Money Appropriated in this Bill:**

25 None

26 **Other Special Clauses:**



28 None

29 **Utah Code Sections Affected:**

30 ENACTS:

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



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

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

35 **31A-22-644. Insurance coverage for amino acid-based formula.**

36 (1) As used in this section:

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

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

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

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

46 (ii) "Eosinophilic gastrointestinal disorder" includes:

47 (A) eosinophilic esophagitis;

48 (B) eosinophilic gastritis;

49 (C) eosinophilic gastroenteritis;

50 (D) eosinophilic enteritis; and

51 (E) eosinophilic colitis.

52 (2) Notwithstanding Subsection **31A-22-618.5(2)(b)(i)(D)**, a health benefit plan
53 effective or renewed on or after January 1, 2016, shall provide coverage for the use of an amino
54 acid-based elemental formula, regardless of the delivery method of the formula, for the
55 diagnosis or treatment of an eosinophilic gastrointestinal disorder if a licensed physician issues
56 a written order stating that the use of an amino acid-based elemental formula is medically
57 necessary.

58 (3) The commissioner shall make rules, in accordance with Title 63G, Chapter 3, Utah

59 Administrative Rulemaking Act, that set minimum standards for the coverage described in
60 Subsection (2).

61 (4) The rules described in Subsection (3) shall require that all cost sharing provisions
62 for the coverage described in Subsection (2), including deductibles, coinsurance, annual
63 maximums, and lifetime maximums, are similar to, or identical to, the coverage provided for
64 other illnesses or diseases.

Legislative Review Note
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Office of Legislative Research and General Counsel